

**ATTACHMENT 2: SCHEDULE OF PUBLIC SUBMISSIONS**  
**DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME NO 7**

Ce co m m e r c i a l#	Name/ Organisation and address	Strategy or draft Scheme 7	Submission	Summary of Submission	Local Government Comment	Local Government Recommendation
1.	Broome International Airport, Roebuck Estate Pty Ltd and Pearl Coast Properties	Local Planning Strategy	<p>1. Broome Airport received considerable attention in the LPS, most of which was focussed on its eventual relocation. It is clearly evident, however, that in the new LPS, there is a revised expectation in relation to the timing of the airport's relocation, compared to the previous LPS (2014), when relocation was envisaged as more imminent than is the case now.</p> <p>Offsetting these practical revised timing expectations, the current LPS does place a greater emphasis on the <i>necessity</i> of the airport's eventual relocation. The impression is given, in several places, of a "strong desire" within the Broome community for the airport to relocate. While it is appreciated that the planning authorities have this opinion, there is reason to believe that the implied strength of the desire for relocation does not necessarily extend to the wider community.</p> <p>The Shire's community/ stakeholder engagement process was very comprehensive, but BIA has some issues regarding the way the process was interpreted and reported in relation to the Airport. The following points explain the basis of this concern:</p> <ul style="list-style-type: none"> <li>• The online engagement service "Social Pinpoint" was utilised by the Shire through interactive mapping and a survey to obtain public comment on six main themes. The theme of relevance to the Broome Airport was "Industrial &amp; Infrastructure".</li> <li>• The Social Pinpoint project page was visited 2,073 times, with 491 unique users comprising 119 stakeholders, 292 comments and 183 survey responses. The three most dominant themes responded to were "Community, Culture &amp; environment" (34%), "Open Space and Recreation" (22%), followed by the "Industrial &amp; Infrastructure" theme (17%).</li> <li>• All the themes were broken down into various sub-themes of which "Airport &amp; Port" got a mere 5% of responses.</li> <li>• A review of these responses, of which only 19 referred to the airport itself, indicated 7 responses which argued for the retention of the airport at its current location, and 12 responses which indicated a preference for its relocation.</li> </ul> <p>From the above, it is reasonable to conclude that the Broome Airport relocation issue is by no means a top priority for most residents/ stakeholders who had an interest in the LPS. The desire to see the airport relocated to an alternate site, although a highly relevant planning issue, clearly is not a particularly strong one within the local Broome community.</p>	<p>Airport Relocation – LPS presents view that there is "strong desire" within the wider Broome community for the airport to relocate. BIA wishes to raise that the "strong desire" to relocate the airport does not necessarily extend to the wider community.</p>	<p>Submission acknowledges and supports revised timing of airport relocation. It is acknowledged that there are some concerns with the language used, particularly where it applies to a 'strong' community perception or desire for relocation.</p> <p>The engagement statistics quoted by BIA do suggest that any use of the word 'strong' should be reconsidered, in the context of community perception.</p> <p>A review of Part 1 and Part 2 of the LPS has been undertaken and there are three instances in which 'a desire' for airport relocation is quoted.</p> <p>Part 1 – Section 2.4.3  <i>"Early engagement during the preparation of this Strategy established that there is still a long-term need and community desire for the relocation of the Broome Airport"</i></p> <p>Part 1 – Section 3.2 (Planning Area B)  <i>"Appendix 1 and the analysis in Section 4 suggests that there is a desire to see the airport"</i></p> <p>Part 2 – Section 4.5.3 Airport states  <i>"In summary, engagement undertaken for this Review established that some members of the community would like to see the airport relocated. Additionally, the Shire's Elected Members/Councillors support the long term intent for airport relocation"</i></p> <p>On review of the above, it is only the wording in Part 1 – Section 2.4.3 which requires rewording.</p>	<p>Upheld - reword first paragraph in Section 2.4.3 as follows:</p> <p><i>Pre-lodgement engagement and planning analysis undertaken during the preparation of this Strategy established that there is still a long term need for the relocation of the Broome Airport. Several factors will underpin the process of planning for the long-term transition including:</i></p>

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			Nor is relocation of the airport favoured by tourists and other visitors to Broome arriving by air. Regular surveys of passenger opinion carried out by BIA itself indicate that 84% of passenger surveyed would not like to see the airport relocated. This percentage of passengers is based on the average of all airport passenger surveys going back to 2013.			
		Local Planning Strategy	<p>2. The five “drivers” for relocation of the airport are correctly portrayed in the LPS as (LPS Section 4.5.3 Airports P137):</p> <ul style="list-style-type: none"> <li>i. Aviation volumes/capacity reached,</li> <li>ii. Community concerns or amenity/noise impacts,</li> <li>iii. BIA’s investment in the existing airport being re-couped,</li> <li>iv. Land tenure for the future airport site being resolved between the government and BIA,</li> <li>v. The underlying value of the land together with population growth pressures, indicating increased potential for a higher and better land use.</li> </ul> <p>All but the second of these points reflect the Shire’s keen appreciation of the practical and longer-term processes necessary to facilitate a successful future airport relocation. “Community concerns”, however, has a potentially unstable political and social connotation which, if encouraged, could adversely impact on the orderly implementation of the relocation process. BIA is concerned that if the community is actively encouraged to perceive that it has a “strong desire” to see the airport relocated, when the evidence indicates otherwise, unnecessary local political issues might arise which could make difficult, or even thwart, the orderly management of the other practical and well-considered drivers.</p>	Community perception on airport relocation and representation in LPS.	<p>Concerns are noted. As demonstrated above, it is the view of the Shire that the term ‘strong desire’ has not been used in reference to the broader community when discussing the Strategy’s position for the long-term airport relocation.</p> <p>However, as written above the term ‘community desire’ will be removed based on BIA’s comments.</p>	Upheld - as per previous recommendations.
			<p>3. BIA supports the LPS proposal for an MOU to outline and establish common goals relating to the airport’s future relocation, however, in accordance with the points made above, it is requested that the unnecessary word “strongly” is removed from the text is removed from the Public Advertising Summary Paper</p> <p><b>Airport Relocation (Planning Area B)</b></p> <p>This Strategy <del>strongly</del> advocates for the need to relocate Broome International Airport; however, it acknowledges that the timing of this could extend beyond the timeframe of this Strategy. Therefore, planning on the periphery of the airport and protection of the future airport site are viewed as essential.</p>	Wording in the Local Planning Strategy and Local Planning Scheme 7 – Public Advertising Summary Paper	This summary paper was prepared to assist public understanding of key changes in the draft Scheme and Strategy. It is only the Scheme and Strategy that is being considered by Council.	Dismissed - no change to LPS required.
			<p>4. Request to reword the rationale wording for planning area B (airport relocation) in Table 16 as shown below:  <del>Appendix 1 on the analysis in Section 4 suggests that there is a desire to see the airport relocated to an alternate site. Some of the primary reasons for this relocation are</del> <b>Although a significant percentage of</b></p>	Request for wording change regarding relocation of the airport in Table 16 of LPS.	<p>Acknowledged that wording should be amended to reflect identified planning issues, focussing less on public perception.</p> <p>Need for amended wording supported. However, in the statistics quoted by BIA above regarding the LPS Engagement only 7</p>	Upheld - reword wording of paragraph 1 in the rationale column of Table 16 (Part 1 – Section 3.2 Planning Area B) to read as follows:

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			<p><b>the public still favour retention of the Airport at its current location, there are some sound reasons for its eventual relocation, such as:</b></p> <ul style="list-style-type: none"> <li>• The noise of operations causing disturbance to existing residents.</li> <li>• It is stifling redevelopment opportunities in Chinatown, due to limitations on height and noise which limits the opportunity for residential to be established in the heart.</li> <li>• It is resulting in continued sprawl and segregation of the Broome Townsite.</li> </ul>		<p>respondents were in favour of the airport's retention. As such we do not believe it to be appropriate to use the wording 'significant percentage of the public still favour retention'. The Shire / consultant team have had no input into the surveys undertaken by BIA and should therefore not use these statistics as a basis.</p>	<p><i>Appendix 1 and the analysis in Section 4 suggests that there are sound planning reasons for why the airport should be relocated to an alternate site in the future. These include:</i></p>
		Local Planning Strategy	<p>5. Airport Development Plan - in discussing the need for an updated Airport Development Plan by 2025 (in Table 24 on page 76), it is considered that the term "strong desire" is inappropriate – instead request it is reworded to 'clear intent';</p> <p>The Airport Development Plan supports continued expansion of the Broome International Airport. This Strategy has identified that there is a <del>strong desire</del> <b>clear intent</b> to support the long-term relocation of the Airport. Whilst coordination of development is required, the role of a Structure Plan should be future focussed.</p>	Request for wording change regarding relocation of the airport in Table 24 of LPS.	Noted, rewording supported.	<p>Upheld - amend wording in Table 24 – Structure Plans (Section 3.5) as follows:</p> <p><i>This Strategy has identified that there is a <del>strong desire</del> <b>clear intent</b> to support the long-term relocation of the Airport.</i></p>
		Local Planning Strategy	<p>6. The "Other Airports" paragraphs (part of Section 4.5.3. on P139) refer to the Djarindjin airport being in partnership with BIA. Please note that BIA is no longer in partnership with Djarindjin airport and the wording of this section should be modified accordingly.</p>	Update reference to Djarindjin Airport and relationship with BIA.	Noted, rewording supported.	Upheld - amend wording in Section 4.5.3 Other Airports (Part 2) to remove reference that BIA is in partnership with Djarindjin airport.
		Local Planning Strategy	<p>7. <b>LPS Conclusion and Recommendations Airport</b> - As explained above, the practical processes necessary to facilitate the eventual relocation of the Broome International Airport have now been clearly articulated in the new LPS in a manner supported by BIA, commencing (presumably) with the proposed MOU. It is, however, requested that, in the interest of orderly planning that the somewhat evocative terms "desire" and "strong desire" in relation to LPS references to the eventual relocation of the Airport be replaced by less emotional and more pro-active terms such as (for example) "intention" and "clear intention".</p>	Request for wording change with regard to BIA relocation.	Noted, removal of the term's 'desire' and 'strong desire' when referencing the airport relocation supported as explained above.	As per previous recommendations.
		Local Planning Strategy	<p>8. Section 3.2 (Page 42) in relation to Planning Area G - former One Mile Community) references a 'redundant road reserve'.</p> <p>It is considered that the LPS recommended action for the "western road reserve" (i.e., the "Broome Road Diversion") to become part of the One Mile's "Urban Development Zone" in order to "explore opportunities for residential development" needs to be reviewed and modified in terms of the current LPS. The Shire's Coastal Planning Policy (February 2019), which is based on some major and very</p>	One Mile (Planning Area G) – maintain Broome Diversion road reserve and do not include in planning area G.	<p>Refer response to No. 12 below.</p> <p>Regarding the road reserve, the current wording of Planning Area G (Table 16, Section 3.2) in the LPS states:</p> <p><i>"Explore benefits of bringing the western road reserve into the 'Urban Development' zone to ensure it is considered in a future structure planning phase".</i></p>	Upheld - as per recommendation for Submission 12 below.

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			<p>thorough professional studies, clearly indicates that in coming decades the existing Broome Road, and some of the One Mile land to its immediate west, will be subject to increased flood risk and erosion.</p> <p>It is therefore considered there is a <i>strong case</i> for maintaining the Broome Road Diversion reserve, because it will almost certainly be needed to replace the existing Old Broome Road in the future. Should this be required, as part of the detailed planning which will at that time be necessary, the road reserve may be able to be shifted slightly eastwards and smoothly re-aligned to also facilitate a green buffer between the new Broome Road and the existing Roebuck Estate residential development, in addition to still having a serviceable road into Broome between Dampier Creek and the Roebuck Estate for the long term.</p>		<p>It is worth noting too that both the LPS and LPS7 Scheme Mapping retain the road reserve as a road reserve. It is not included in the 'Urban Development' zone.</p> <p>It is the view of the Shire that the proposed actions do adequately address BIA's concerns. Though it is acknowledged and agreed that the term redundant road reserve be removed.</p>					
		Local Planning Strategy	<p>9. Table 24 (Page 76) in regards to the Western Triangle Development Plan states:  <i>Limited subdivision and no development has occurred. 10 year approval timeframe prescribed in the LPS Regulations 2015 lapses in 2021. Review will be required.</i> It is incorrect that no development has occurred in the Western Triangle. In the southern stage, roads have been built and houses are under construction. It is also incorrect that the Western Triangle Development Plan "lapses in 2021". The restart on the new Regulations' 10 years planning horizon occurred on 19 October 2015, making it 2025 before the current WTDP lapses. By then the northern stage subdivision, which is to be lodged with the WAPC in a matter of weeks, will in all likelihood have been completed.</p>	Western Triangle Development Plan – update text in LPS.	Noted, intent supported and will be reworded.	<p>Upheld - amend wording of second paragraph in Table 24 – Structure Plans (Section 3.5) as follows:</p> <p><i>10 year approval timeframe prescribed in the LPS Regulations 2015 lapses in 2025. Subdivision being lodged in 2022, likely to be complete prior to 2025.</i></p>				
		Local Planning Strategy	<p>10. Frederick St Service Commercial Area – request to update table 5 on page 77 of Part 2 to reflect current situation. Proposed wording is:</p> <table border="1" data-bbox="454 1514 1285 1644"> <tr> <td data-bbox="454 1514 715 1644">LDP No. 8: Lot 1648 Frederick Street</td> <td data-bbox="715 1514 857 1644">25 March 2021</td> <td data-bbox="857 1514 1056 1644">Guidance on service commercial development</td> <td data-bbox="1056 1514 1285 1644">The subject site is currently being subdivided in accordance with LDP 8 planning intent</td> </tr> </table>	LDP No. 8: Lot 1648 Frederick Street	25 March 2021	Guidance on service commercial development	The subject site is currently being subdivided in accordance with LDP 8 planning intent	Frederick Street Service Commercial Area – update current status of LDP.	Noted, rewording supported.	Upheld - amend wording in Table 25 – Local Development Plans (Part 2 Section 3.6) to reflect the adoption date of LDP No 8
LDP No. 8: Lot 1648 Frederick Street	25 March 2021	Guidance on service commercial development	The subject site is currently being subdivided in accordance with LDP 8 planning intent							
		Local Planning Strategy	<p>11. Page 138 /139 in Part 2 of the LPS – statement in Paragraph 2 in relation to the Frederick Street Service Commercial Area is unclear.</p> <p>The second paragraph appears to suggest that future development of Service Commercial/ Bulky Goods uses on the Cable Beach Road</p>	Frederick Street Service Commercial Area – update reference in Part 2 of the LPS.	<p>Inconsistency between LPS wording in Part 2 and Scheme Zoning acknowledged.</p> <p>Amendment of the text as it relates to the Frederick Street Service Commercial Land in Part 2 – Section 4.5.3 (Frame / Surrounding Lands) is supported.</p>	<p>Table 25 to be updated as suggested above in No. 11.</p> <p>Amend text in Part 2 – Section 4.5.3 (Frame / Surrounding Lands) to remove the last</p>				

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			<p>East land may warrant relatively short-term reconsideration of the need for Frederick Street Service Commercial zoning. However, the Frederick Street land, which is now zoned Service Commercial in both LPS 6 and LPS7, the related and approved LDP 8, and a recently approved subdivision application, are based on the current zoning of what is currently the best Service Commercial land in Broome.</p> <p>It would be appreciated if the Shire could clarify the intent of the paragraph mentioned above with Pearl Coast Properties Pty Ltd, prior to publication of the final version of the LPS.</p> <p>In relation to the underlying principle of the airport's post-relocation future mentioned in the first paragraph in the LPS extract above, it should be noted that it is the intention of Pearl Coast Properties Pty Ltd (owners of the entire airport land) to retain full ownership of the Frederick Street Service Commercial lots and all future constructed buildings thereon, indefinitely during the area's new role as a Service Commercial area. Maintenance of this ownership would, in the longer term following the airport's relocation, facilitate transition of the Frederick Street land to a higher and better use, should the planning situation at the time indicate a suitable rationale for this. The nature of this future potential will be explored to an appropriate degree in the updated version of the Airport Development Plan, which is required by 2025.</p> <p>Conclusion - It is requested that Table 25 on Page 77 in Part 2 of the LPS be updated in accordance with the modified table on the preceding page of this submission.</p> <p>It is requested that the intent of the paragraphs in the above extract "Frame/ Surrounding Lands" be made clearer and that Pearl Coast Properties Pty Ltd be given the opportunity to comment on any revision of the paragraphs before the final version of the LPS is released.</p>		<p>It is recommended that the last paragraph on page 138 is deleted from the LPS.</p>	<p>paragraph on page 138 of the LPS.</p>
		Local Planning Strategy and LPS7	<p>12. One Mile - LPS7 has One Mile zoned as "Urban Development", which has replaced the former "Development" zone throughout LPS 6. This zoning would now appear to be inappropriate for the reasons discussed in the LPS comments above. However, in LPS7 (as in LPS6) the Zoning Table does not specify any Use Classes for the Urban Development zone, referencing instead Scheme Clause 18 (6) which states must have due regard for a structure plan, local development plan or community layout plan.</p>	Zoning of former One Mile Community	<p>Correct, as is the intent of the 'Urban Development' zone future development should be guided by an approved Structure Plan.</p> <p>Current wording of Planning Area G (Table 16, Section 3.2) does already state that future structure planning needs to :</p> <p><i>"Ensure that drainage, coastal processes and other environmental constraints are considered".</i></p>	<p>Amend wording in rationale column of Table 16 for Planning Area G (Part 1 Section 3.2) as follows:</p> <p><i>The site is impacted by several environmental constraints and includes an unused road reserve</i></p>

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			<p>A structure plan or LDP for the One Mile land and Broome Road Diversion will, therefore, be necessary prior to any development, however, it is recommended any such plan take full account of the inevitable future environmental constraints and emphasise the importance of maintaining the existing, so-called, "redundant" Broome Road Diversion reserve, either in its current, or realigned form.</p>		<p>Regarding the road reserve, it states:</p> <p><i>"Explore benefits of bringing the western road reserve into the 'Urban Development' zone to ensure it is considered in a future structure planning phase".</i></p> <p>It is worth noting too that both the LPS and LPS7 Scheme Mapping retain the road reserve as a road reserve. It is not included in the 'Urban Development' zone.</p> <p>It is the view of the Shire that the proposed actions do adequately address BIA's concerns. Though it is acknowledged and agreed that the term redundant road reserve be removed.</p>	<p><i>which provides an informal drainage function.</i></p> <p><i>Further investigations and planning are therefore required to determine the true development potential of the land prior to any rezoning occurring.</i></p>
		LPS7	<p>13. The Frederick Street Service Commercial land is appropriately zoned as such in LPS7, as it was in LPS 6. This zoning does, however, extend beyond the currently defined LDP 8 area to include the balance of Lot 1648 and a portion of Lot 9050, which are functional parts of the Broome Airport itself. This was also the case in LPS6, but the issue appears not to have surfaced.</p> <p>This displacement of a functional part of the Airport's Urban Development Zone by the Service Commercial Zone may have been intentional, but this seems unlikely because, while portion of the Service Commercial zoned area is now subject to LDP 8 requirements, the balance of the Service Commercial zoned land is not.</p> <p>Furthermore "Airport and Aviation Uses" is a non-permitted use in the Service Commercial Zone, meaning any existing aviation uses on that part of the airport covered by the Service Commercial Zone are non-conforming. Also, any new or updated aviation-related uses proposed on the affected airport land, even if they accorded with the current Airport Development Plan, may not be permitted.</p> <p>It is therefore requested that the Shire reconfigure the LPS7 Service Commercial Zone boundary to align with the current LDP 8 boundary and extend the affected portion of the Airport's Urban Development Zone to align with the current LDP 8 boundary.</p>	<p>Zoning of Frederick Street Service Commercial Area – request that the boundaries of the zoning align with the LDP 8 footprint and review the land use permissibilities for "Airport and aviation Uses" relating to the service Commercial zoned land within the LDP 8 area.</p>	<p>The current configuration of the Service Commercial zoning of the Frederick Street Service Commercial area is consistent with the current LPS6. However, with the recent approval of the LDP it is agreed that the Service Commercial zoning designation on the Scheme Map should be modified to be consistent with the LDP boundary. No changes to the land use permissibilities for the zoning of the subject land is supported.</p>	<p>Uphold in part - modify the LPS7 Scheme Map accordance with the Schedule of Modifications LPS7 to align the Service Commercial zoning to be consistent with LDP 8.</p>
2.	Department of Mines, Industry Regulations and Safety Resource	Local Planning Strategy and LPS7	<p>1. The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.</p>	No objection	Submission in support of Draft LPS and LPS7.	No issues raised or recommended changes required - no modification is recommended to draft LPS7 or LPS.

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	and Environmen tal Regulation					
3.	Martin Johnston	Local Planning Strategy and LPS7	<p>1. Tourism , Minerals , Energy , Agriculture, Aquaculture + Transport , Construction , Government services - Broome biggest income &amp; employment generating Industries continue to be stifled for growth through lack of Worker affordable Accommodation. Certainly Covid has significantly impacted this situation over past years.</p>	Lack of affordable workers accommodation	<p>Submission highlights that there is a lack of affordable workers accommodation, and that this is stifling economic growth.</p> <p>Part 2 – Section 4.2.2 (analysis) and Part 1 – Table 2 (planning direction) do provide some commentary and guidance on the issue, however, the link between limited economic growth due to this issue could be expanded on. Will also reference that matter is being investigated as part of the Sanctuary Road CVP business case.</p>	<p>Upheld - expand 'Workers Accommodation' section (Part 2) in the LPS to provide additional commentary on negative impacts associated with lack of workers accommodation.</p> <p>Upheld - amend the land use permissibility of workforce accommodation from 'X' to 'I' in the Rural Smallholdings zone in LPS7.</p>
			<p>2. <i>Accommodation issues often create a Negative spiral:</i></p> <ul style="list-style-type: none"> <li>• Higher Prices: Higher Accommodation prices flow through to Cost of Living &amp; financial stresses.</li> <li>• Industry Investment: Faces greater risk, challenging feasibility &amp; drives alternative solutions eg. Use of FIFO workers.</li> <li>• Negative service &amp; experiences - impacts negatively on Broome Destination , Brand growth &amp; appeal.</li> <li>• Impact upon living conditions, increases mental, physical and Social instability issues.</li> </ul> <p><i>I commend the Shire for recently progressing an Accommodation solution to help support Broome &amp; Business Economic Growth - Lot 3130, Reserve 51028, bordered by Oryx Rd, Sanctuary Rd &amp; Fairway Drive, Cable Beach - Zoned Tourism (Significantly the first Multi-Dwelling Accommodation Project for Broome in a decade +)</i></p> <p>It is important this development delivers a Broome 'fit for purpose' solution providing affordable Accommodation for Key Workers and help meet an existing shortfall in affordable accommodation for Visitors.</p> <p>Hopefully it can be fast tracked to help enable &amp; activate nearby planned projects important for Broome Economic Growth.</p> <ul style="list-style-type: none"> <li>• Cable Beach Foreshore Re-development</li> <li>• Spinifex Brewery: Cable Beach Ale House</li> <li>• Broome North Centre &amp; associated Urban expansion developments also come a step closer.</li> </ul>	Support development of key worker accommodation	<p>Submission highlights additional challenges associated with existing workforce accommodation issues. It also shows support for the proposed development at Lot 3130, Reserve 51028, bordered by Oryx Rd, Sanctuary Rd &amp; Fairway Drive, Cable Beach.</p> <p>Submission provides four page analysis of the proposed design. Whilst valuable, the comments are not directly relevant to implementation of the LPS / LPS7. The site is zoned as Special Use site for CVP under LPS7 and key worker accommodation forms part of the business case under development for the site.</p> <p>Site could be identified in 'Workers Accommodation' section (Part 2) as an important opportunity to showcase potential solutions.</p>	<p>Upheld - expand 'Workers Accommodation' section (Part 2) to provide additional commentary on negative impacts associated with lack of workers accommodation. Note that Lot 3130, Reserve 51028 is an opportunity site that the business case is investigating.</p> <p>Noted. No modification is recommended to draft LPS7.</p>

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			<p>Broome Growth Strategy Planning - Broome is best positioned to become a future regional HUB 'GATEWAY to the Kimberley'</p> <p>It is projects such as this, enabling Key Worker resources and more Visitors, staying longer which stimulates Economic &amp; Population Growth and in turn helps bring positive change to the Social Dynamic in Broome.</p>	Support business case for Sanctuary Road Caravan Park	Noted. No modification required.	No issues raised or recommended changes required.
4.	Tourism WA	Local Planning Strategy	1. Tourism WA is very involved in planning for the perpetration of the Dampier Peninsular to manage additional numbers of visitors, as a result of sealing of the road. Tourism WA is aware of the possible impacts on increase activity and supports the Shire's position to protect environmental and natural heritage of the area.	Tourism in Dampier Peninsula.	Submission supports LPS position on appropriately managing increased tourism activity in the Dampier Peninsula, in particular the desire to protect environmental and natural heritage.	No issues raised or recommended changes required.
		Local Planning Strategy	2. Tourism WA also endorses the Shire's position that the re-location of Broome International Airport remain a priority, to enable Broome to further develop and expand.	Endorse position that relocation of airport is a priority.	Submission supports LPS position that long-term relocation of Broome International Airport is a priority.	No issues raised or recommended changes required.
		Local Planning Strategy and LPS7	3. Tourism WA is supportive of the Broome Shire's policy for Short-Stay accommodation in Residential Zones. The Agency was involved in the development of the State position and is hopeful that the proposed registration scheme will provide Local Government with enough control to limit or stop inappropriate behaviour, should that occur in residential areas.	Support Short-Stay accommodation in residential zones.	Submission supports LPS position (and Shire's LPP) that there is a need to manage short-stay accommodation in Residential zones.	No issues raised or recommended changes required.
5.	Department of Water and Environmental Regulation (DWER)	Local Planning Strategy	<p>1. The Department has reviewed the Strategy and acknowledge the inclusion of comments made in our previous response dated 12 August 2020. The report references the water environment appropriately and allows for the protection of the natural environment and water resources.</p> <p>We note the intention to produce a District Water Management Strategy and support this intention. We would be happy to provide comment and advice on the strategy prior to endorsement by the Department of Planning, Lands and Heritage.</p>	Support – and support preparation of District Water Management Strategy	Submission supports LPS position regarding protection of natural environment and water resources. Also supports planning direction associated with the preparation of a District Water Management Strategy.	No issues raised or recommended changes required.
6.	Goolarri Media	Local Planning Strategy	<p>1. It is a concern that the Arts is not considered as a significant industry in the LPS document. Sadly, the industry continues to be treated as unimportant when compared to the Pastoral, mining and extraction industries and sport.</p> <p>The arts do so much more than provide decorative and interest to new developments and Shire managed events. This make the LPS short sighted and un-aspirational. If Broome did not have an arts industry that it does, it would be a very different place with much lower visitation rates and smaller population. The LPS does not</p>	Art is not represented adequately as industry in the Strategy.	<p>Submission raises concern that the significance and value of the culture and arts industry is not adequately captured or considered in the LPS.</p> <p>It is acknowledged that Part 2 of the LPS does not highlight Art and Culture as a standalone industry. Additional commentary based on submission content to be added to Part 2 – Section 4.3 Economy and Employment .</p>	Upheld - Part 2 – Section 4.3 Economy and Employment to include commentary on 'Art and Culture' using content from the submission to provide wording that highlights opportunities and challenges associated with Arts industry.

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			<p>identify the arts as a vibrant contemporary industry that is important to the town.</p> <p>The way that the LPS has been written identifies the main role of the Arts industry is to support the development of the town in becoming a museum town, adding attractive decorations here and there. A problem with museum towns developed as tourism precincts, it is hard to find someone who has lived in the town for long. Museum towns generally lack depth and sense of place. They might be kitsch, fun places to visit but not somewhere to call home.</p>			<p>No comments directly on draft LPS7 so no modification is recommended to draft LPS7.</p>
			<p>i. Broome has a long history of producing world quality artists (performing, visual, circus, dance, digital, writers, theatre directors, Jewellers, costume designers, composers, playwrights, musicians, film makers et al.) Broome provided Australia’s first international touring event in the form of Agnes Highland and her educated ponies – circus act 1911-1912</p> <p>ii. The Arts industry in Broome attracts considerable state and national government funding that helps employ a large number of people.</p> <p>iii. The industry helps create improved liveability.</p> <p>iv. The growing mental health industry constantly rely on arts practices to deliver their improved programs. ( #artssavelives )</p> <p>v. Visitors to the area list attendance at cultural events near the top of their needs, helping make Broome a ‘must do’ destination.</p> <p>vi. The industry employs a large number of people and makes even more people happy by improving the quality of their lives.</p> <p>vii. Broome, for the time being, remains a vibrant modern and highly creative town. A large part of the population has been born here or have committed to living here long term. They do not want to live in a sanitised highly marketable destination precinct.</p> <p>iii. Historical towns all over the world have capitalised on the existence of their resident arts communities. The arts have played significant roles in their redevelopment and rebirth. For example, Bristol docks UK redevelopment and home of Aardman Animations, Cardiff Docks redevelopment, Totnes in Devon UK a dying town brought back to life by the huge number of artists who live and work there. Jogjakarta Indonesia was once a small town, but it has become a university city with a thriving traditional and contemporary puppet and music communities, Todmorden UK. Belfast UK/Ireland where the arts have played a huge role in recovery from disasters.</p> <p>The Arts industry is a significant industry that helps make Broome a viable and desirable place to be. Sadly, we continue to see relatively little of the</p>	<p>Art is a significant industry</p>	<p>Submission provides a summary of the benefits associated with ‘Arts and Culture’ in Broome.</p> <p>It is acknowledged that Part 2 of the LPS does not highlight Art and Culture as a standalone industry. It does provide some commentary on the potential for a ‘Kimberley Centre for Arts Culture and Story’, which the submission does not reference.</p> <p>LPS could better acknowledge ‘Arts and Culture’ in Broome though note that existing documents and actions in the CBP are the vehicle for achieving this, such as:</p> <ul style="list-style-type: none"> <li>• Arts and Culture Strategy &amp; Arts and Culture Action Plan 2021-2025; and</li> <li>• Existing action in the Corporate Business Plan ‘Facilitate implementation of the Arts and Culture Action Plan’.</li> </ul>	<p>Refer to recommendation above.</p>

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			work by our national and internationally acclaimed artists as their work is exported to other towns and cities where there are the art galleries, purpose-built stadiums, theatres, performing arts centres, rehearsal studios museums and infrastructure to support them, including highly trained staff to manage the facilities. Imagine what the arts industry could do to the development of Broome if there was the foresight to support the development of the infrastructure needed to match the output of work by our arts community.			
7.	Department of Finance and Department of Justice	Local Planning Strategy and LPS7	<p>1. The Department's submission (provided as separate attachment) has been prepared by the Department of Finance and is requesting that Lot 586 be reserved for Public Purposes – Prison in the new LPS7 to remove any planning impediments on the development of the new Broome Custodial Facility at this site.</p> <p>The Department submits that with appropriate design and siting of the facility within Lot 586, and modifications to the Broome Road Industrial Park Masterplan, planning considerations can be mitigated and/or managed appropriately to ensure that future development surrounding Lot 586 will not be unduly compromised. The Department of Justice acknowledge that the proposed modifications to the planning framework require further investigation, and this will be progressed in conjunction with Development WA and the Shire of Broome.</p> <p><b>Note the Department supplied a 15 page report to rationalise the submission that Lot 586 Broome Road be zoned Public Purpose – Prison in LPS7. The points below provide a summary of key themes and matters raised in the report. A full copy of the report will be provided as a sperate attachment.</b></p> <p>2. A high-level summary is provided below:</p> <p>The Government is committed to replacing the current Broome prison, parts of which date back to 1894, with a new modern more secure prison located out of the town centre. The current prison is subject to escapes, beyond further repair and needs replacing. A new use for the land the prison now occupies, in a pivotal part of Broome, has potential to enrich the town's built heritage and economy.</p> <p>This new facility will provide the kind of cultural and educational opportunities that have been shown to benefit prisoners on Country and will strengthen the current good relationship with elders and community organisations to use culture and healing for the rehabilitation of prisoners. The Government's plans to build the new</p>	Request that Lot 586 Broome Road be zoned Public Purpose – Prison in LPS7.	<p>No change proposed to LPS because:</p> <ul style="list-style-type: none"> <li>Under the Shire's existing and proposed Local Planning Strategy, the area in question is identified as an industrial precinct which recommends that it is zoned General Industry under the Scheme. The current LPS incorporates an action that recommends the General Industry zone be applied in the Scheme specifically to enable for storage and transport related land uses, noxious, hazardous and port related industry that require larger land parcels and/or separation from other land uses. The draft LPS further provides planning direction that 'strategic industrial areas identified and protected to minimise land use conflict' and that the Scheme align with SPP 4.1 to ensure adequate protection of strategic industrial areas.</li> </ul> <p>Both the current and advertised version of the LPS recognise the need to set aside land for the future industrial needs of Broome and separation of incompatible land uses is significant in ensuring this strategic outcome is achieved. To update the LPS to identify a custodial facility in this location would not align with the strategic intent of both the existing and proposed LPS as it would introduce a sensitive and incompatible land use (as a custodial facility involves the residential accommodation of its custodians) to this strategic industrial site.</p> <ul style="list-style-type: none"> <li>The submission provides an analysis of buffer distances and reference the EPA Guidelines on the Separation Distances Between Industrial and Sensitive Land Uses. The proposed management responses to ensure adequate separation distances to land use that should be encouraged in the General Industry zone are not resolved or finalised and could place limitation and restrictions on future permitted land uses in this zone, thereby having an impact on the</li> </ul>	<p>Dismiss - no modification is recommended to LPS.</p> <p>Dismiss - no modifications to LPS7 recommended.</p>

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			<p>prison on Yawuru country, in partnership with Yawuru and the wider Aboriginal community of the West Kimberley, will follow global best practice in restorative justice and rehabilitation.</p> <p>Arguably this project ranks as one of the most important infrastructure investments for the region and we seek the support of the Broome community in securing the proposed site for the new Prison.</p> <p>This submission is supported by the landowner, Nyamba Buru Yawuru Ltd.</p> <p>Summary:</p> <ul style="list-style-type: none"> <li>• The existing Prison in Broome is at the end of its functional life and a new custodial facility is required.</li> <li>• Department of Finance has assisted the Department of Justice in identifying a site for a new custodial facility in Broome.</li> <li>• There was an early commitment by the WA Government that the new facility should be located on Yawuru land to foster a beneficial partnership and realise benefits for the Traditional Owners of Broome townsite surrounds.</li> <li>• 29 sites have been identified and assessed as part of a thorough and comprehensive site selection and multi criteria analysis process.</li> <li>• Lot 586 in the Broome Road Industrial Park was announced as the preferred site by the Minister for Corrective Services on 10 February 2022.</li> </ul>		<p>delivery of industrial land to meet the future needs of Broome. These matters should be resolved in advance of any changes to the strategic intent in the LPS.</p> <p>In relation to the request to change the zoning of the subject site under LPS7, this is not supported for the following reason:</p> <ul style="list-style-type: none"> <li>• Would be inconsistent with the strategic direction provided under the Shire’s current and proposed LPS (as detailed above).</li> <li>• As acknowledged in the submission, further investigation is required to prove the sites suitability for a custodial facility. It would be premature for the site’s zoning to be changed in the Scheme in the absence of this further investigation being performed (note this includes amendments to the Broome Road Masterplan and demonstration that the development of custodial facility would not impact on industrial land supply needs).</li> <li>• To align with the strategic objectives and SPP 4.1 the zoning table under draft LPS7 identified that all sensitive land uses that involve over-night accommodation (including a Corrective Institution) are not permitted in the General Industry zone. The change the zoning of this site to a Public Purpose – Prison, would enable the land use to occur at this location and would be inconsistent with the principles of orderly and proper planning, specifically the separation of incompatible land uses.</li> </ul> <p>In the site selection process undertaken by the Department’s to date, insufficient public consultation has been undertaken on the new identified site. When the preferred site was announced in February 2022, Shire officers advised the Departments of concerns regarding consultation and further foreshadowed that the current Local Planning Scheme review would not be considered an appropriate mechanism for this to occur as the potential for additional consultation or resolution of land use conflicts may delay the process of completion of the new Scheme</p>	
8.	Shire of Broome – Special Projects Coordinator	Local Planning Strategy and LPS7	<p>1. <b>McMahon Estate – Lot 2441 Reid Road</b></p> <ul style="list-style-type: none"> <li>• The draft Local Planning Strategy identifies this area as ‘Future Urban Growth’ and is further identified as planning area ‘O’</li> <li>• Draft LPS7 zones the land either Residential R40 and Local Scheme Reserve – Public Open Space and Drainage.</li> </ul>	McMahon Estate - Request that Lot 2441 Reid Road is zoned Development to be consistent with the strategic direction	<p>Submission’s request to rezone the McMahon Estate area to ‘Development’ is supported for the reasons highlighted in the submission.</p> <p>Given that the business case is already underway, it is recommended that the actions under Planning Area O be updated</p>	Upheld - the LPS to be modified in Part 1 – Section 3.2 (Planning Area O) to incorporate an updated action which requires structure planning in place of a

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			<ul style="list-style-type: none"> <li>It is requested that this entire site be zoned 'Development' under draft LPS7 to align with the identification of the site as 'Future Urban Growth' in the draft Local Planning Strategy.</li> <li>This will enable a more flexible approach to the design of a subdivision concept plan and better opportunities for delivery of a development that can integrate with existing land use, through the preparation of a Structure Plan.</li> <li>The current zoning precedes current best practice urban design and does not allow for development of an urban form that addresses the following:               <ol style="list-style-type: none"> <li>Legibility</li> <li>Permeability (especially pedestrian connections)</li> <li>Variety/diversity</li> <li>Environmental sustainability</li> <li>Urban Water Management Planning</li> </ol>               Structure Planning under a 'Development' zone will allow urban design that addresses the above.             </li> <li>The current zoning is incongruous to surrounding zoned land, which has a mix of residential densities. A large pocket of medium density land is not sympathetic to the existing urban fabric. 'Development' zoning will allow for a structure planning process that will be more sympathetic to the existing urban fabric,</li> <li>The current zoned area does not encourage best practice in accordance with Crime Prevention Through Environmental Design principles, a 'Development' zone will allow these principles to be achieved.</li> <li>A Business Case is currently underway which involved stakeholder workshops in November 2020 and April 2021. The workshops engaged with Shire technical stakeholders, elected members and potential partner stakeholders, and involved community open days in April 2021.</li> <li>The Business Case addresses the housing crisis Broome is currently experiencing, and particularly a lack of accommodation for key workers, Shire staff, aged persons and for transition and affordable housing.</li> </ul>	<p>provided in the LPS (draft and existing).</p> <p>Benefits that could be realised if site rezoned to development outlined.</p>	<p>to require structure planning instead of a 'subdivision concept plan and business case'.</p> <p>This will be more consistent with the requirements and approach taken to other 'Future Urban Growth' areas under the LPS.</p>  <p>Amend the Scheme Map to:</p> <ol style="list-style-type: none"> <li>Zone Lot 2441 Reid Road (Reserve 41551), McMahon Estate from the Residential R40 and Recreation and Drainage to the Urban Development zone.</li> </ol>	<p>'subdivision concept plan and business case'</p> <p>Uphold - modify the LPS7 Scheme Map accordance with the Schedule of Modifications LPS7 to zone Lot 2441 Reid Road (Reserve 41551) to Urban Development.</p>
		LPS7	<p>2. <b><u>Sanctuary Road Caravan Park – Lot 3130</u></b></p>	<p>Amend Schedule 3, SU6 Lot 3130 Sanctuary Road, Cable</p>	<p>It is understood from the draft business case that the site development is intended to progress as a Caravan Park of which</p>	<p>Dismiss - no modifications to LPS7 recommended.</p>

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			<ul style="list-style-type: none"> <li>• Draft LPS7 zones this site as a Special Use and it is listed in Schedule 3 as SU6 with the Special Use of Caravan Park.</li> <li>• A business case is currently being prepared and the intention is that the site be developed as a caravan park and it is also proposed to potentially accommodate alternative accommodation choices in park homes for either aged/independent living options and essential workers accommodation.</li> <li>• It is requested that 'Park Home Park' be added to Schedule 3 for SU6 in addition to Caravan Park so this land use can also be undertaken on site.</li> </ul>	Beach Sanctuary Road Caravan Park – to include 'Park Home Park' as additional "D" use to facilitate aged/independent living options and essential workers accommodation.	there would be a component of sites being made available for key worker accommodation.  Based on this, the development would be consistent with Special Use site designation and no amendment is required.	
		Local Planning Strategy	3. <b><u>Broome Museum and immediate surrounds (67, 69 and 71 Robinson Street)</u></b> <ul style="list-style-type: none"> <li>• This area is included in the Old Broome Development Strategy and make's recommendations and is incorporated into Area D – Mixed Use Tourist/Residential and is identified as being on a priority activate frontage. The intent is to see this area activated and developed for this purpose.</li> <li>• Figure 5 of the draft Local Planning Strategy notes the presence of an activity centre (assuming this is Seaview) however it is unclear what the underlying designation is over the museum and the immediate surrounding lots.</li> <li>• It is requested that consideration be given to extending the extent of the Planning Area A in the draft Local Planning Strategy to include the Broome Museum and immediate surrounding land, so that a Precinct Structure Plan can be prepared over this site and the vision within the Old Broome Development Strategy can be delivered.</li> <li>• It is requested in draft Local Planning Scheme No 7 that consideration be given to rezoning the Museum (67 Robinson Street) in addition to 69 Robinson Street, 71 Robinson Street to Mixed Use to align with the Old Broome Development Strategy.</li> <li>• The Town Beach Cultural Plan 2010 as a part of The Old Broome Development Strategy prescribes the museum form a part of an overall 'Heritage Precinct' incorporating the existing museum and tram line.</li> </ul>	Broome Museum and immediate surrounds – clarification of identification of site under the LPS.  Request that Planning Area A be extended to incorporate this land and align with the recommendations of the Old Broome Development Strategy.	The underlying land use classification in the Draft LPS is 'Existing Regional Infrastructure and Public Purpose'. This is consistent the existing 'Public Purpose Reserve' designation under LPS6.  It is noted though that 69 Robinson Street is currently zoned 'Residential' and should be shown as such.  Regarding the boundary of Planning Area A it is acknowledged and agreed that the boundary should be amended to align with the boundary of the Old Broome Development Strategy. This will ensure a clearer link between the intent of the LPS planning direction and action.	Upheld - amend Figure 5 & 6: Planning Area A - Precinct Structure Planning Guidance to incorporate the balance of the Old Broome Development Strategy Area.  Noted. No modification is recommended to draft LPS7.

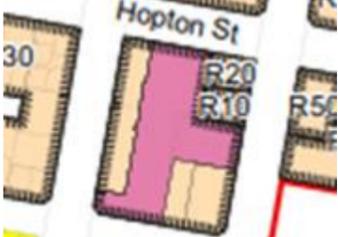
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9.	Hawaiian Group	Local Planning Strategy	<p>1. Having reviewed the draft Strategy, Hawaiian support the majority of the high-level objectives and actions that seek to support future growth of the Broome townsite over the next 15 years, including the identified need to activate both Cable Beach and Old Broome as key precincts within the Broome townsite.</p> <p>Hawaiian also supports the identified need to review the Cable Beach Development Strategy and prepare a new precinct structure plan to stimulate new growth and investment in the Cable Beach area.</p> <p>As acknowledged in the draft Strategy, private investment in Cable Beach has stagnated over the last decade, and there is a clear need to promote greater land use diversity to improve activation of the precinct, particularly during off-peak tourism periods. However, this lack of private investment will not change without meaningful alterations to the strategic direction and statutory planning framework applicable to the area.</p>	<p>Support high-level objectives and preparation of precinct structure plan to stimulate new growth and investment in Cable Beach Area.</p>	<p>General support for direction of the draft LPS noted.</p>	<p>No recommendation required.</p>
		Local Planning Strategy	<p>2. Whilst it is acknowledged that this opportunity for change exists through the intended precinct structure planning process, Hawaiian retain concerns over the continued references to tourism being retained as the primary function of the Cable Beach area, despite acknowledgement of the need to explore opportunities to support greater investment throughout the precinct.</p> <p>Due to the prohibitively expensive costs and high vacancy rates associated with tourism developments in Broome in the low season, Hawaiian strongly recommends that the Shire revisits the strategic direction established for the area to actively promote residential opportunities in parts of Cable Beach.</p> <p>It is acknowledged that implementing such changes will require a comprehensive reset of development controls and aspirations for the area, and our corresponding recommendations in relation to draft LPS7 are therefore set out in more detail below.</p> <p>A key component of these recommendations is a request that the street block bounded by Millington Road, Oryx Road and Sanctuary Road, which is sited away from the prime beachfront tourism areas and contains a number of longstanding vacant or underdeveloped lots, is excised from the 'Tourism' zone under draft LPS7 and included in a new 'Development' zone that is subject to</p>	<p>Concerned the Strategy continues to reference tourism being retained as the primary function of Cable Beach area.</p> <p>Hawaiian strongly recommends that the Shire revisits the strategic direction established for the area to actively promote residential opportunities in parts of Cable Beach.</p> <p>Submit that Millington Road, Oryx Road and Sanctuary Road block be excised from Tourist designation under Strategy and LPS7 and be zoned development.</p>	<p>Cable Beach is recognised as a 'Tourism Precinct' in the Shire's Local Planning Framework. Planning for this area has therefore been undertaken in accordance with various state government guidance such as:</p> <ul style="list-style-type: none"> <li>• Planning Bulletin 83/2013 Planning for Tourism (January 2013)</li> <li>• Tourism Planning Guidelines (June 2014)</li> </ul> <p>These documents provide guidance on planning in Tourism Precincts, which the Shire has aligned with. It is acknowledged though, that new guidelines are being prepared by the DPLH. These were released for public comment in December 2021 and when finalised will supersede the above.</p> <p>Changing Cable Beach's designation as a Tourism Precinct and the underlying Tourism Zone in LPS7 is not supported without further detailed planning.</p> <p>During pre-lodgement engagement issues were raised regarding viability of development in Cable Beach due to the existing planning requirements. This is reaffirmed in Hawaiian's submission, acknowledging that greater diversity in the Cable Beach Tourism Precinct is required. The Draft LPS therefore acknowledges this, and highlights those potential changes are needed. To allow meaningful change to occur, preparation of a</p>	<p>No recommended change proposed.</p>

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			<p>comprehensive structure planning to guide future land use and development outcomes. This includes the Hawaiian owned assets at Lots 2245 and 2246 Millington Road, and Lot 6 Sanctuary Road, which provide a significant opportunity for residential development as an extension of the existing residential area to the south of Sanctuary Road. This renewed focus on residential opportunities would assist greatly in addressing the identified lack of private investment in the area, whilst providing the year-round activation that is so lacking in off-peak tourism seasons.</p>		<p>Precinct Structure Plan was determined as the best course of action for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>State Planning Policy 7.2 – Precinct Design</i> provides a contemporary framework for planning and development in existing areas. The policy will allow for a coordinated approach that ensures detailed consideration for a range of design elements. This would include the ability to draft new planning controls associated with land use and built form provisions.</li> <li>• The Precinct Structure Plan would be prepared with a concurrent Scheme Amendment which is best practice for such exercises. This would allow for implementation of any changes to land use / built form provisions in the form of LPS7 zone and development requirements.</li> <li>• A Precinct Structure Planning process would allow targeted engagement to be undertaken in partnership with landowners and the broader tourism industry to define an appropriate future vision for Cable Beach.</li> </ul> <p>In light of the above, whilst it is acknowledged that greater flexibility is being sought for a number of select sites the draft LPS is clear in that, changes to the Scheme will not be supported until detailed planning has occurred. Which in this case is to be a Precinct Structure Plan prepared in accordance with the requirements of <i>State Planning Policy 7.2 – Precinct Design</i>.</p> <p>It is also worth noting that the preparation of the Cable Beach Precinct Structure Plan is identified as a short-term action, highlighting its importance as a priority project for the Shire.</p>	
		Local Planning Strategy	<p>3. In addition to the above, we note the concerns that Hawaiian has raised separately with the Shire in relation to the revised beach access proposals for vehicles, which have been put forward as part of the separate Cable Beach Foreshore Redevelopment project. The proposal to modify vehicle access arrangements to run in even closer proximity to the existing sunset bar at Cable Beach Club Resort appears to be at odds with the recommendations of the draft Strategy in relation to enhancing built form activation of, and pedestrian priority around, the Cable Beach area. Hawaiian therefore strongly encourages the Shire to revisit this matter and find an</p>	Concerns regarding realignment of beach vehicle access in the Cable Beach Detailed Design	The concerns raised in relation to the realignment of the beach vehicle access in the Cable Beach Detailed Design is a separate project and not a relevant consideration in the LPS. The concerns have been forwarded to the project team working on the Cable Beach Detailed Design. The matters raised in the LPS relative to built form and pedestrian priority are key design considerations in the Cable Beach Detailed Design.	Dismissed - submission not supported as relating to a separate project.

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			alternative design solution as part of ongoing work on the Cable Beach Foreshore Redevelopment project.			
		LPS7	<p>4. Hawaiian are broadly supportive of draft LPS No. 7 in regard to:</p> <ul style="list-style-type: none"> <li>i) the aims and objectives of LPS7, particularly the need to facilitate growth and development, promote housing provision, and support strategically led business growth across all identified sectors of the Broome economy.</li> <li>ii) The specific recognition of residential land uses as being appropriate within the 'Tourism' zone, as per the zone objectives under Table 2 of draft LPS7;</li> <li>iii) The objectives for the 'Mixed Use' zone under Table 2 of draft LPS7, in terms of the intent to support a diverse range of land use outcomes, including residential housing; and</li> <li>iv) The proposal to reduce the minimum car parking requirements for single bedroom dwellings from the two (2) bays per dwelling required under the current LPS6 to one (1) bay per dwelling under Clause 26 of draft LPS7. This is considered to be a positive step towards supporting the provision of greater housing diversity to meet the varied needs of the local community.</li> </ul>	Broadly support the aims and objectives of LPS7.	Noted.	Noted. No modification is recommended to draft LPS7.
		LPS7	<p>5. However, it appears that the modifications made between the current LPS6 and draft LPS7 are largely administrative in nature. Limited consideration appears to have been given to implementing the growth objectives of the draft Strategy through the built form development controls in draft LPS7, with much reliance placed on the preparation of precinct structure plans to investigate increased development potential in key precincts. This is arguably a lost opportunity, however if this approach is to be adopted then Hawaiian strongly encourages the Shire to progress precinct structure planning for the Cable Beach area as a matter of priority, with a clear focus on alternative land use and development opportunities to encourage redevelopment of vacant sites in the area.</p>	Concerns that limited consideration appears to be given to implementing growth objectives.	The intent of the Shire's Scheme Review was to ensure alignment with recent State Government Planning Reform initiatives including the Model Provisions, SPP 7.2 Precinct Design and to ensure alignment between the LPS and other strategic documents such as the Strategic Community Plans and Broome Growth Plan. The draft LPS clearly sets out the Shire's priorities for implementing the LSP and the timeframes for initiation of precinct planning by relevant stakeholders. The submitters support for precinct structure planning is welcomed to achieve these timeframes.	Noted. No modification is recommended to draft LPS7.
		LPS7	<p>6. Requested Modification – Map 01 – Broome Townsite South. Rezone the following Hawaiian owned lots in Old Broome from the current 'Residential R10' and 'Residential R20' zoning to 'Mixed Use':</p> <ul style="list-style-type: none"> <li>• Lot 360 Hopton Street; and</li> <li>• Lots 361 and 362 Walcott Street.</li> </ul> <p>The requested modification will provide for a consistent zoning over the consolidated Hawaiian landholding. This in turn offers a significant opportunity for a comprehensive redevelopment that aligns with the designation of the site as part of an 'Urban Renewal Area'</p>	Request rezoning of Lot 360 Hopton Street and Lot 361 and Lot 362 Walcott Street to 'Mixed Use'.	 <p>It is considered premature for the land to be rezoned Mixed Use as this modification represents an ad hoc "spot" rezoning in the absence of comprehensive planning. Furthermore, the proposal warrants public advertising and stakeholder engagement which</p>	Dismissed - no modification is recommended to draft LPS7.

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			under the draft Strategy, in which urban infill opportunities are to be encouraged.		cannot be facilitated unless the Scheme was re-advertised resulting in delay to the gazettal of LPS7.	
		LPS7	<p>7. Requested Modification – Map 02 – Broome Townsite Central.</p> <p>Rezone land in the street block bounded by Millington Road, Oryx Road and Sanctuary Road in Cable Beach from the current 'Tourism' zoning to a new 'Development' zoning, requiring comprehensive structure planning to guide land use and development outcomes.</p> <p>The land in the street block bounded by Millington Road, Oryx Road and Sanctuary Road is sited away from the prime beachfront tourism land and contains several longstanding vacant and underdeveloped lots. It is therefore a key opportunity to explore alternative land use opportunities that can deliver on the objectives of the draft Strategy in relation to the diversification of land uses within the Cable Beach precinct to stimulate private investment in, and promote year-round activation of, the area. This can be achieved by designating the land as a 'Development' zone requiring comprehensive structure planning, which will enable the intended precinct structure planning exercise to also consider appropriate land use outcomes and designate alternative land use permissibility controls in this area.</p> <p>This structure plan exercise should focus specifically on opportunities for residential development in the area, as an extension of the existing residential area to the south of Sanctuary Road, consistent with the comments provided above in relation to the draft Strategy.</p> <p>We also note that the Shire has the option of applying individual 'Special Use' zonings over the existing caravan parks within the street block bounded by Millington Road, Oryx Road and Sanctuary Road should they wish for these to remain. This would be consistent with the approach advocated in the Western Australian Planning Commission's Planning Bulletin 49/2014 – Caravan Parks.</p> <p>Part 3 – Zones and Use of Land            Include the requested new 'Development' zone, with an objective to guide future development in accordance with an adopted structure plan, and land use permissibility to be assessed in accordance with Clause 18(6).</p> <p>8. To reflect the requested rezoning of the street block bounded by Millington Road, Oryx Road and Sanctuary Road, and enable land</p>	<p>Rezone land in the street block bounded by Millington Road, Oryx Road and Sanctuary Road in Cable Beach from 'Tourism' to 'Development' zone allowing comprehensive structure planning to guide land use and development outcomes.</p>	<p>Request landholdings bounded by Millington Road, Oryx Rd and Sanctuary Road are rezoned from the 'Tourism' zone to the 'Urban Development' zone (Hawaiian Assets Lot 2245, 2246 Millington Road and Lot 6 Sanctuary Road), Cable Beach.</p>  <p>It is considered premature for this significant land (approx. 35ha) currently zoned Tourism zone with accompanying development/use provisions to be zoned Urban Development as this is a significant proposal and does not meet the objectives and proposed strategic direction of the draft LPS particularly in relation to Tourism led development in this precinct.</p>	Dismissed - no modification is recommended to draft LPS7.

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			use controls for this area to be established through the structure plan process, with a focus on opportunities for residential uses.			
		LPS7	<p>9. Schedule 4. Cl. 10 Height of Buildings</p> <p>Amend sub-Clause (2) to apply the wall height of 10 metres and the overall height of 14 metres to all forms of development (including residential development) in the specified zones.</p> <p>The appropriate built form outcome that these height controls establish in the respective zones should apply to all land uses, including purely residential developments. This will provide greater consistency in built form outcomes and serve to encourage residential development within the Broome townsite.</p>	Amend development standards in LPS7 relative to height so wall height of 10m and building height of 14 applies to all development (currently different controls in place for residential development – R Codes)	Agreed that the height of buildings in the Tourist zone should be a wall height of 10m and overall height of 14m.	Uphold in part - modify the Scheme text accordance with the Schedule of Modifications LPS7 to clarify that height for all development in the zones will be calculated in accordance with Clause 10 of Schedule 4.
		LPS7	<p>10. Schedule 4, Cl. 15 – Mixed Use Zone</p> <p>Delete sub-Clause (5) and (6), which provide a presumption against subdivision in the 'Mixed Use' zone unless it is in accordance with an approved structure plan, local development plan or adopted local planning instrument.</p> <p>Subdivision proposals within the 'Mixed Use' zone should be able to be considered on their individual merits through the subdivision application process.</p>	Remove development standard providing presumption against subdivision in Mixed Use zone in absence of LSP or LDP.	<p>Agreed, the lot configuration and size of properties in the Mixed Use zone are of a nature that subdivision and development could progress in the absence of a LSP or LDP.</p> <p>Recommend that schedule 4 is amended to remove clause (1), (5) and (6) which references that a Structure Plan/Local Development Plan should be provided to guide development and/or subdivision.</p>	Uphold – remove provision from Mixed Use zone Schedule 4. Modify the LPS7 Scheme text accordance with the Schedule of Modifications LPS7 which references development or subdivision to be guided by Structure Plan or Local Development Plan.
		LPS7	<p>11. Schedule 4, Cl.17 – Tourism Zone</p> <p>Delete sub-Clause (3), relating to the requirement for 60% tourism use as part of any mixed use development within the 'Tourism' zone.</p> <p>This clause is unnecessarily onerous and has contributed substantially to the lack of private investment in the Cable Beach area over the last decade, as discussed in detail above in relation to the draft Strategy.</p> <p>Development applications for mixed use developments should be able to be considered of their individual merits having regard to the objectives for the 'Tourism' zone under draft LPS7, and any future precinct structure planning over the area.</p>	Remove the development standard in LPS7 requiring 60% tourism use in the tourist zone.	Sub-Clause (3), relating to the requirement for 60% tourism use for a proposal seeking approval of a combination of short-term tourism accommodation and permanent residential use within the 'Tourism' zone is consistent with the current provision in LPS6 and is considered consistent with the objectives and proposed strategic direction of the draft LPS particularly in relation to Tourism led development in this precinct.	Dismissed - no modification proposed to draft LPS7.

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		LPS7	<p>12. Schedule 4 – Plot Ratio Controls</p> <p>Remove plot ratio controls from Schedule 4 of draft LPS7, in all zones where plot ratio controls are currently specified.</p> <p>Plot ratio controls are unnecessary when draft LPS7 already provides comprehensive built form guidance through the establishment of site coverage, building height and setback controls, which as a collective are far more effective controls on overall building bulk than an arbitrary plot ratio figure.</p>	Request that plot ratio controls in all zones are removed from LPS7.	Agreed. Sufficient controls are in place with site coverage, setbacks and building heights that plot ratio is not deemed to not add value.	Uphold in part - modify the LPS7 text accordance with the Schedule of Modifications LPS7 to remove plot ratio development standards.
	Local Planning Strategy and LPS7		13. Hawaiian looks forward to the opportunity to continue working with the Shire to progress planning to support renewed investment in, and revitalisation of, the Broome townsite in accordance with the recommendations put forward in this submission. In doing so, Hawaiian urges the Shire to deliver a contemporary local planning framework that provides the increased levels of flexibility that will be required to stimulate private investment in the Broome townsite.	Conclusion and looks forward to the opportunity to work with the Shire.	Noted.	No recommendation required.  Noted. No modification to draft LPS7 required.
10.	Michael Leake	LPS7	<p>1. <b>Development of the TPS – Properly identifying Stakeholders.</b></p> <p>One of the biggest issues that needs to be addressed in the development of the TPS and further Shire documents is the usage of the phrase “Stakeholder” and its definition.</p> <p>It is just wrong! And has been used incorrectly.</p> <p>A stakeholder is someone who has something at stake, or a potential loss.</p> <p>A good tool to use to identify a stakeholder is whether the entity or person runs a self-sustaining financial enterprise that receives income on a retail or fee for service basis, and if the entity goes under there is a person or director that may be personally liable and has personal assets at risk.</p> <p>Most of the 30 odd organisations that were interviewed as so called “Stakeholders” are actually support organisations at best, or unaccountable bodies at worst. Maybe if we are lucky, they might lobby on behalf of stakeholders, however I would bet that none of them consulted before they provided input into this process.</p> <p>That basically excludes from being a stakeholder all government departments as they all spend other peoples’ money, organisations like Tourism WA (who, without consulting the industry, ridiculously suggested a casino might be a good idea to increase Asian visitors), the totally</p>	Government departments should not be considered stakeholders.	Under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> both a Local Planning Strategy and Local Planning Scheme must be referred to any affected public authorities. In the Western Australian planning system, government departments / authorities are viewed as important stakeholders.	Dismissed - submission not supported.  Noted, no modification to draft LPS7 required.

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			<p>unaccountable Kimberley Futures Alliance (which was discredited last year in a shire officer's report) and other membership associations etc. At best they are interested parties, but never stakeholders, and their opinions should be taken on board as second inputs.</p> <p>So to help clarify things, the stakeholders are the community members and business owners. It is as simple as that.</p> <p>Find below a summary of each of the key points raised many years ago for TPS4/5. They are still valid today, which is rather disappointing.</p>			
		Local Planning Strategy	<p>2. <b>Development of a Tourism Strategy – see also Annex 1</b></p> <p>Tourism is the major non-government industry of Broome and has been for more than 30 years. There is a glaring omission that there is no overarching Tourism Strategy that covers the whole of the Broome shire. Such a strategy would bring together and integrate development plans such as the ones for Town Beach, Chinatown and Cable Beach. There is a lot more to Tourism in Broome than just these 3 locales. This is more imperative than ever with the completion of sealing of the Cape Leveque Road.</p> <p><i>Note: Annex 1 – for a full copy of submission please refer to separate attachment.</i></p>	Development of Tourist Strategy required.	<p>The LPS provides commentary on the importance of tourism in Part 2 with relevant actions in Part 1 for both the Broome Townsite and beyond. This includes specific consideration for tourism in the Dampier Peninsula and the sealing of Cape Leveque Road.</p> <p>Given the maturity of the tourism industry, development of a Tourism Strategy is not identified as a major priority.</p>	No change to the LPS recommended.
		Local Planning Strategy	<p>3. <b>Under - developed Tourism Node – see also Annex 2</b></p> <p>The 'Gantheaume Point/ Simpsons Beach / Reddell Beach Tourism Precinct (Port Precinct)' is an example of an area that has many tourism activities operating within it. However, the area is not covered under a location specific plan or a broader Tourism Strategy. The information attached in Annex 2 outlines the tourism activities that are occurring, and how they could be integrated throughout the whole Shire, instead of isolated developments.</p> <p>Ironically, the proposed TPS [Local Planning Strategy] also supports this approach of an open space Tourism node where it identifies the potential for 3 or 4 new tourism developments in this Tourism Node in "Figure 5: Local Planning Strategy Map - Broome Townsite". These include areas (P36 -44):</p> <ul style="list-style-type: none"> <li>• "D" Heath and Wellness Precinct</li> <li>• "J" Port Drive. – Tourism Investigation</li> <li>• "L" Gantheaume Point – Tourism Investigation</li> </ul>	Gantheaume Point/Simpson Beach/ Reddell Beach should be included as tourism precinct in the Strategy.	<p>Submission acknowledges maturity of Chinatown, Town Beach and Cable Beach tourism precincts. Focuses specifically on other areas as referenced below.</p> <p><b>Major and Minor Tourism Nodes</b></p> <p>Section 2.2.3 and background information in Part 2 (Section 4.3.1) demonstrate that this terminology applies specifically to tourism nodes outside of the Broome Townsite. It is the same terminology and approach used in the overarching Dampier Peninsula Planning Strategy, which is a Sub-Regional Strategy endorsed by WAPC.</p> <p><b>Gantheaume Point</b></p> <p>Broome Townsite Planning Area M specifically identifies the need to prepare the Gantheaume Point Master Plan to formalise it as a recreation area. This will ensure a coordinated approach to future upgrades and works in the area.</p> <p><b>Port Tourism Precinct</b></p>	No change to the LPS recommended.

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			<ul style="list-style-type: none"> <li>• "M" Gantheaume Point – "Gantheaume Point is high amenity area popular among tourists and community members alike. It is receiving increased traffic due to its popularity, as such a coordinated approach to planning in the area is required important to enhance safety and provide necessary community infrastructure." (TPS P44).</li> </ul> <p>The new TPS [Local Planning Strategy] provides a mechanism for facilitating this recognition of a Tourism Node where it outlines in "Section 2.2.3 Tourism" the idea of Major and Minor Tourism nodes.</p> <p>Planners are concerned about the potential of conflicting uses (eg noisy industry and accommodation), but there are ways around it by limiting the activities. It should be noted that just because an area is declared a tourism node, it doesn't necessarily need to include more accommodation.</p> <p>However, we need to address the issue that this area is a Tourism Node, which already exists and is a reality, so let's put a plan in place. Yes the area is juxtaposed throughout to the Port Area and industrial area and if we don't work out how to manage the competing uses by acknowledging their existence, we will continue to have conflicts in usages that are compounded. Yes there are challenges having an industrial and port area comixed with a tourist zone but that is the reality of what is already there. These challenges can be potentially further entrenched and problems multiplied with lack of action and yet further proposed tourism developments in an area that is currently not acknowledged as tourism.</p>		<p>Existing tourism uses in the Port Precinct are primarily a legacy of how Broome has evolved over time.</p> <p>The LPS did not identify a need for major change in this area, particularly as some of the changes recommended could compromise the strategic intent to provide industrial related economic development at Broome Port – as recommended in the Kimberley Regional Planning and Infrastructure Framework.</p> <p>In addition, the Broome Townsite Coastal Hazard Risk Management and Adaptation Plan identifies the Redell Beach (Compartment 3) and Simpsons Beach (Compartment 5) areas as 'Managed Retreat' and 'Avoid' respectively. In essence, future development at risk of coastal processes is not desired as described below.</p> <p><i>Compartment 3 Reddell Beach</i>  <i>The risk management and adaptation approach for this section of coast is Avoid further development within the identified coastal erosion hazard, Managed Retreat for current structures and properties within the erosion hazard area.</i></p> <p><i>Compartment 5 Simpsons Beach</i>  <i>The risk management and adaptation approach for this section of coast is Avoid further development within the identified coastal erosion hazard. The avoid option will be supported by a coastal monitoring program tracking the rate of future erosion of the shoreline.</i></p> <p>Given the above, no changes are recommended to the LPS.</p>	
		Local Planning Strategy	<p>4. <b><u>Gubinge Road Extension – heavy through vehicle bypass – see also Annex 3</u></b></p> <p>The greater port area has been undergoing sporadic development over the last 20 years with only little regard for infrastructure development, safety considerations and amenity planning to accommodation expansion needs. Most planning has focussed on making roads bigger rather than looking at the overall structure.</p> <p>If the floating jetty proceeds, the loading of product from the Thunderbird (Sheffield Resources) operations and so on, there will be a significant increase in heavy road-train through traffic to the port that will have major safety concerns. The reality right now is that there are a range</p>	Request Gubinge Road be extended so Port Drive does not contain heavy industrial traffic.	<p>The proposed Gubinge Road Extension is not considered a major priority of the LPS. Relevant cost / benefit analysis has not been undertaken to determine the suitability of the proposal. There are also concerns with the impact of the proposed route, such as:</p> <ul style="list-style-type: none"> <li>• It would cause major disruption to areas of land reserved for Environment / Cultural Conservation.</li> <li>• It would impact on identified Threatened Ecological Communities.</li> <li>• It would also trigger Native Title considerations, as the land is subject to the ILUA.</li> </ul>	No change to the LPS recommended.

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			<p>of clashing uses. There are existing and proposed tourism ventures and operations (including the new \$6.5 million Broome Golf Club development that was supported by the shire as a tourist attraction), retail and wholesale outlets, and a whole range of slow moving vehicles using multiple access points. At the same time, the shire is proposing increasing the throughflow of heavy vehicles along the same section of road. This is a major contradiction in purpose and management and has the major potential for safety issues.</p> <p>A proposed new alignment is suggested that would serve Broome well for the next 50 years and should be reviewed before there is a catastrophic fatality.</p>		<p>However, the need to mitigate future conflicts where possible is acknowledged. As evidenced in Planning Area I (Part 1 – Section 3.2) which already identifies a need to consider improvements to connectivity and access to facilitate implementation of projects such as:</p> <ul style="list-style-type: none"> <li>• Kimberley Marine Support Base; and</li> <li>• Broome Boating Facility.</li> </ul> <p>A new road connection from Kavite Road is being considered as one of the options to minimise conflicts between recreational traffic and port operations.</p>	
		LPS7	<p><b>5. Short Stay Accommodation – Attachment 1</b>  This issue has been discussed at length. See the accompanying file: "<i>Air Bnb and unlicensed short stay letting impacts on Broome Tourism Industry Sep 19.pdf</i>".</p> <p>The report suggests at looking at ways to increase the development in the Cable Beach Tourist Zone. This is going to be fraught with investor reluctance whilst there is the potential for a 'free for all' in uncontrolled and illegal short stay accommodation. The current situation is a direct result of the Shire failing to manage and police the current TPS, whilst knowing and acknowledging publicly that the issue is going on.</p> <p><i>Note: Attachment No 1 is a copy of the BTLG Occasional Paper which has been previously supplied to elected members. Can be provided upon request.</i></p>	Do not support proposed change to make Holiday Home a discretionary use in the Residential zone.	<p>LPS7 proposes to make un-hosted short stay accommodation a discretionary land use in the residential zone in LPS7. The Shire has prepared a draft LPP to guide appropriate development and together with the reforms currently being undertaken with the State (with regard to registration system) it is considered that the land use should remain as a discretionary land use.</p> <p>It is noted that the position within the LPS and draft LPS7 is supported by Tourism WA in their submission.</p>	Noted, though no modification to draft LPS7 required.
		Local Planning Strategy	<p><b>6. Data Based Decision making – Annex 4</b></p> <p>Whilst this planning scheme is out for review, there is a paucity of information about the profile of industries of the shire. This is especially so with the Tourism Industry. There is no accurate data that identifies the amount of capital invested, industry turnover, number of people employed, amount of mobile capital, number of guests, profiles, types of businesses etc.</p> <p>This lack of data means that decisions are being made when people are not fully informed in many situations, and this will affect the effectiveness of strategic plans.</p>	Request for more data and information on tourism.	The Shire has undertaken extensive pre-lodgement engagement in reviewing the LPS and LPS7. While the data mentioned would be informative, the matters raised are unlikely to lead to a change in the strategic direction in the LPS or the statutory provisions in LPS7 relative to tourism.	No recommendation proposed.
		Local Planning Strategy	<p><b>7. Differential rates</b></p> <p>Currently properties that are zoned business or tourism are charge a differential rate. Whilst this originally had the purpose of providing funds</p>	Differential rates	Rating of properties is not relevant to preparation and adoption of a Local Planning Strategy or Scheme.	Dismissed - submission not supported.

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			<p>to market Broome, this reason has become blurred. Funds are allocated without reference to the rate payers that provided those targeted funds and there is no transparency and effectiveness of how the funds are used. A significant amount is given to Australia's North West for destination marketing and yet they do not have a specific and ongoing marketing strategy for Broome. Let alone specific and measurable goals for success. The Shire has been remiss in not pursuing transparency and, above all, accountability for the effectiveness of funds spent.</p> <p>The way the differential rate misses so many industries and does not levy those that benefit directly from tourism, also needs to be reviewed. Many tour operators work out of their house, registered bed and breakfast properties do not pay any levy and the Shire makes no effort to enforce regulation and payment by unlicensed short stay properties.</p> <p>Given that tourism is such a major industry in Broome, is it not time to think about a levy on <u>all</u> rate payers in Broome and the formation of a Broome specific local tourist organisation, that is both transparent and accountable?</p>			
		Local Planning Strategy	<p><b>8. <u>Broome Airport Relocation – not required</u></b></p> <p>The TPS report erroneously concluded and is unsupported by the comments:</p> <p><i>“Early engagement during the preparation of this Strategy established that there is still a long term need and community desire for the relocation of the Broome Airport. Several factors will underpin the process of planning for the long-term transition including:</i></p> <p><i>Appendix 1 and the analysis in Section 4 suggests that there is a desire to see the airport relocated to an alternate site. Some of the primary reasons for this relocation are: .....</i></p> <p><i>+ The noise of operations causing disturbance to existing residents. (2.4.3 Airport infrastructure)”</i></p> <p>The linkage between ‘airport noise’ and ‘relocation of the airport’ is an incorrect inference that the authors have made between two separate and distinct points. Prior to the arrival of the helicopters at the airport, the only noise complaints were due to planes not adhering to the “Friendly Skies” policy of the airport. The comments regarding airport noise was in reference to the helicopters rather than the planes, and were not made as comments supporting the relocation of the airport. The</p>	Airport relocation not required. Helicopter operations should be relocated.	<p><b>Long-term Need</b></p> <p>Through stakeholder engagement undertaken with BIA and planning analysis, the draft LPS has determined that there are sound planning reasons for why the airport should be relocated in the future. The draft LPS has altered the strategic direction of the previous LPS by focussing on long-term relocation, rather than an ‘imminent relocation’.</p> <p>This change is consistent with the feedback received and generally supported by BIA.</p> <p><b>Community Desire</b></p> <p>A review of Part 1 and Part 2 of the LPS has been undertaken and there are three instances in which ‘a desire’ for airport relocation is quoted.</p> <p>Part 1 – Section 2.4.3  <i>“Early engagement during the preparation of this Strategy established that there is still a long-term need and community desire for the relocation of the Broome Airport”</i></p> <p>Part 1 – Section 3.2 (Planning Area B)  <i>“Appendix 1 and the analysis in Section 4 suggests that there is a desire to see the airport”</i></p>	<p>Upheld - reword first paragraph in Section 2.4.3 as follows:</p> <p><i>Pre-lodgement engagement and planning analysis undertaken during the preparation of this Strategy established that there is still a long term need for the relocation of the Broome Airport. Several factors will underpin the process of planning for the long-term transition including:</i></p>

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			<p>complaints regarding airport noise have only risen to these levels since the arrival of the helicopters. This is the fact.</p> <p>The facts speak for themselves in that issues have been raised previously about noise and other aspects but most of this has improved considerably with the relocation of the majority of the helicopters to alternate sites out of Broome during the Covid period. This highlights the significant amenity improvements for the town if the helicopters were permanently relocated out of Broome at Djarindjin, or an alternate location.</p> <p>The approach of relocating the helicopters but keeping the airport in its current location would have multiple benefits:</p> <ul style="list-style-type: none"> <li>• The current location of the airport is beneficial to the tourism industry and provides a quirkiness to the town,</li> <li>• Guests comment frequently about the enjoyability of having the airport close to town,</li> <li>• Jobs would be provided to the alternate location,</li> <li>• Having an alternate airport would provide a good safety alternative if another airport was needed for emergency or diversionary purposes.</li> </ul>		<p>Part 2 – Section 4.5.3 Airport states  <i>"In summary, engagement undertaken for this Review established that some members of the community would like to see the airport relocated. Additionally, the Shire's Elected Members/Councillors support the long term intent for airport relocation"</i></p> <p>On review of the above, it is only the wording in Part 1 – Section 2.4.3 which requires potential rewording.</p> <p><b>Relocation of Helicopters</b>  All aviation operations are expected to be relocated, including helicopters. The MOU discussions recommended in the LPS to facilitate the airport relocation should also include helicopter operations and noise concerns.</p>	
		Local Planning Strategy	<p>9. <b><u>Need to focus on utilising existing assets, not just new construction</u></b></p> <p>It is imperative that economic development strategies do not just focus on construction style activities for the sake of employment, rather than ones with a substantial rate of return. The need for construction should be driven by economic activity that initiates and requires construction.</p> <p>This is a theme that needs to permeate the town planning scheme and strategies.</p> <p>The "build it and they will come" mindset is strong amongst those that are not personally footing the bill.</p> <p>For example, the Chinatown revitalisation will not bring any new tourists to Broome, contrary to some thought. The works did a major freshen up of tired and worn infrastructure but no tourist is going to come to Broome to see the new Chinatown. The construction activity came and went and now we need another construction activity to keep people employed. And so the cycle goes on. Government money spent on projects to prop up private companies.</p>	Review expenditure on capital projects.	Comments are not deemed to be relevant to LPS or LPS7.	Dismissed - submission not supported.

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			<p>The other issue is that the new assets are not being properly managed to full implementation after construction:</p> <ul style="list-style-type: none"> <li>• The Broome Road Industrial Estate has only 2 or 3 occupants after 10 years and millions of dollars of construction. One of its purposes was to minimise road-trains in the Broome township to improve safety. No plan has been put in place to encourage industry to move. Why not?;</li> <li>• Chinatown – overt the last 3 months, every time I have visited Chinatown at night there has been at least 6 or more lights not working. They are a major feature of the new works. Is the timber work being oil and maintained throughout? It looks very dry and close to splitting, again also a key feature of the works. Is there a maintenance plan?</li> <li>• Airport Drain – the Shire co contributed to the works and made a contract with the community to replace the frangipani trees. They didn't and it is now the ugliest section of road in Broome for over ten years. A broken contract.</li> <li>• And the list goes on.</li> </ul> <p>Any plan needs to look at the strategic application and management of the assets within the plan. The TPS is a planning document, not just a construction plan.</p> <p>However an alternate view is that if we maximise an activity such as tourism, a commercial asset will become worn (eg accommodation) and then need updating or major refurbishing. This economic activity is then funded by private industry to maintain a private asset but also significantly keeps support industries such as local construction, transport and supply industries active.</p> <p>Quick calculations to support this approachs (see previous point about data sourcing which would certainly support this argument if we had the data):</p> <ul style="list-style-type: none"> <li>- Accommodation in Broome approx. 1,700 rooms</li> <li>- Built in two major stages 1995-2000 and 2005 -2009.</li> <li>- First stage is around 20 years old and needs refurbishing, say half or 850 rooms, that would take around 5-7 years to complete,</li> <li>- Second stage buildings would then be 5-7 years older and also need refurbishing as soon as stage 1 is finished.</li> <li>- When this is completed the cycle would start again, but however it would all be funded by successful businesses using private money.</li> </ul>			

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			<p>- Estimated ongoing refurbishment costs 1700 rooms x \$15k = \$25,500,000 per refurbishment cycle. That is quite a sustainable economy without building anything new.</p> <p>This would set up a major sustainable economy for Broome. Further developments would then flow through natural economic 'pull' processes, not pushed through by government grants.</p> <p>However the Covid recovery plan is based significantly around building new things with government money – up to \$100 Million. If a small fraction of that, say \$1 million per year was put forward to encourage Broome tourism and cheap flights, the multiplier effect would be enormous. However we only give a pittance to supporting cheap flights and good destination marketing.</p> <p>This is a mindset activity that needs to feed into strategic thinking as there is currently too much focus on build and build. We need current assets and infrastructure to operate at high utilisation levels to get a sustainable economy for Broome instead of the boom and bust of infrastructure building activity (and oil and gas and mining for that matter!).</p>			
		LPS7	<p>10. <b><u>Expansive tourism</u></b></p> <p>Finally before I go to bed. There needs to be scope in the TPS for temporary and expansive tourist activities that can come and go with the seasons and tourism demand. We have this in some ways with the markets and tours side of the industry, where no huge capital outlay or commitment is required from stall holders or tour operators and they can follow the tourist season around the country or shut up shop in the quiet times.</p> <p>The next level which needs to be incorporated into planning strategies is also to allow and cater for temporary, but substantive activities, that can come and go with the activity of the tourist season. For example a seven storey inflatable water slide was operating at the Ascot Racecourse in Perth over Perth summer. This could be easily relocated to Broome each dry season as an entertainment activity, as could many other activities like it. A temporary structure like the water slide negates the need to construct a purpose built, expensive to operate permanent style water park.</p> <p>There is a need to encourage planning and facilitation in the planning scheme and strategies that looks outside the box so that they incorporate into the seasonality of the life we have here in Broome.</p>	Scope to allow for seasonal tourism activities	Scheme enables these types of land uses currently and furthermore, these activities may be captured through the Local Law as trading activities.	Noted. No modification to draft LPS7 required.

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#	Name/ Organisati on and address	Strategy or draft Scheme 7	Submission	Summary of Submission	Local Government Comment	Local Government Recommendation
11.	Kylie Weatherall	LPS7	<p><b>1. Service Commercial Zoning Cable Beach Rd East and Gubinge Rd</b></p> <p>The area zoned 'Service Commercial' area on the corner of Cable Beach Rd East and Gubinge Rd is a particularly poor zoning choice, as this land is and will be next to residential areas and is close to the tourist precinct of Cable Beach. This little island of 'service commercial' will fracture the towns shopping precincts and result in a 'higgledy piggledy' visual aesthetic. It will look like a badly planned urban area and be completely out of character with the locality. A shopping area more suited to a light industrial zone than a tourism corridor between the town centre and Cable Beach.</p>	Service commercial zoning on Cable Beach Road East and Gubinge Road – would be out of character with the locality.	<p>As summarised in Table 4: Retail, Commercial &amp; Activity Centres - Planning Directions and Actions (Part 1 – Section 2.2.1) the rationale behind the service commercial zoning in this location is as follows:</p> <p><i>"The structure plan for Lot 3082 Cable Beach Road East was endorsed by the Minister in Feb 2020. The Structure Plan designates the site for service commercial uses and therefore should be reflected within the new Local Planning Scheme"</i></p> <p>Approval of the structure plan was a Ministerial decision, as such it must be reflected in the Shire's LPS.</p>	Noted. No modification to draft LPS7 required.
		LPS7	<p><b>1. Environment and recreation</b></p> <p>There is no connectivity of undeveloped across the Broome peninsula in terms of landscape – no planning for 'wildlife corridors'. If the environment had value (and you would believe it did if you read shire documents) you would see planning for the inclusion of 'wildlife corridors'. There is opportunity to allocate land and include wildlife corridors, but they are completely absent from the summary paper document and plan.</p> <p>I note the drainage areas are marked as public open space. There is further opportunity to create wildlife corridors and/or other recreational areas through the creation of well-designed drainage basins. This would help both help increase green areas, reduce flooding, erosion and improve amenity. More examples of well-designed and functional drainage areas can be seen in 'Sunset Park', behind Matsumoto (off Anne St.), along Cable Beach Rd East and in Broome North's drainage swales.</p> <p>If the Shire of Broome values the natural environment all the Threatened Ecological Communities and Priority Ecological Communities within the Shire of Broome should be highlighted in plans, as well as promoted and celebrated and protected from future development. I am concerned with the lack of acknowledgement of these plant communities in general shire documents such as the map &amp; plan (as in the Summary document). Within the map I am also concerned that the area marked as 'M' Gantheaume Point, and as 'Future Tourism Rural' is the location of the Priority Ecological Community Dwarf Pindan Heath.</p>	<p>Lack of planning for wildlife corridors and opportunities to create through drainage corridors.</p> <p>Threatened Ecological Communities and Priority Ecological Communities within the Shire of Broome should be highlighted in plans</p>	TEC and PEC's are captured as Special Control Area under LPS6 and is proposed to continue in LPS7.	No recommendation required.

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#	Name/ Organisation and address	Strategy or draft Scheme 7	Submission	Summary of Submission	Local Government Comment	Local Government Recommendation
		Local Planning Strategy	<p><b>2. Urban Renewal</b>  Whist it is good to see areas in old Broome marked for urban renewal, the lack of commitment by the Shire to endorse and prioritise the urban renewal strategy is disappointing. Overcrowding and dense clusters of social housing (aka ghettos) in many of these areas contribute greatly to the increasing crime and reducing safety across Broome. The Shire of Broome needs to prioritise urban renewal and work together with the Department of Communities to make changes to social housing ghettos much faster.</p> <p>The lack of public open spaces in the block area marked 'N' for urban renewal bounded by Pembroke, Robinson, Roberts, Blick Dr., Paddy Court and Anne St. This is of great concern especially as the well utilised park on the corner of Blick Dr. and Dora St is ear-marked for development as 'Health and Wellness' development. I understand is going to be developed and there will be NO public open space. The removal of vegetation in this area is also of great concern.</p>	Urban Renewal – Shire needs to prioritise and lack of POS within the urban renewal areas.	<p>Noted that there is a desire for formal adoption of the URS, however, this is separate to the LPS / Scheme Review process.</p> <p>Further, as stated in Part 2 – Section 4.2.2 (Existing Residential Areas) implementation of the URS is likely to take many years with one of the primary challenges being:</p> <p><i>"...full costings have not yet been developed by the Department or priorities established".</i></p> <p>The LPS recognises the importance of the URS but acknowledges that it is a long-term solution that will require cross-agency implementation across all levels of government.</p>	No recommendation required.
		LPS7	<p><b>3. Port precinct</b>  A major town planning issue is the use of the land currently designated 'Port' on the map, with the area of land called 'Entrance Point' being one of the most beautiful and well visited places in Broome. Currently the port industry dominates an area which should I believe become 'public open space' as it such a well utilised area (and by a many more people than just the recreational fishing community). The council and the Shire have a great opportunity to develop this are of land into a place 'for all' not just the Port industry or the recreational fishing. The port of Broome expansion or activities should be restricted, and the entire fishing club area and the old silos should be resumed for public recreation. A more visionary approach to this site (and the expenditure of millions of dollars as is current plan for safe boat harbour) at this site would be to create a smaller but adequate safe launching boat ramp, retain the beaches and dinosaur footprints and spend more money on developing the entire site from the old silo to Entrance Point. The old silo site could potentially become bars, restaurants, open air areas for markets, performance spaces and all with adequate, large car parking areas. It would be connected to the Fishing Club, the boat ramp and Entrance Point and allow expansion into the future for a growth.</p>	Portion of the Port Reserve should be designated as public open space.	Draft LPS7 reflects the current zoning/reservation of the Port in LPS6. No changes to landownership/ tenure arrangements are proposed for this land, so it is more appropriate that the land is reserved Port and the use and development of the landholding is consistent with the reservation's objectives. Any incidental use of Port reservation for recreation purposes would need to be considered in consultation with the Port operator and the overall objectives of the reservation.	Dismissed - no modification to draft LPS7 required.
12.	Paspaley Properties - Nick Hanigan	Local Planning Strategy	1. As the intended primary strategic planning document for the Shire over the next 15 years, the draft Strategy is a significant opportunity to establish a strategic context for decision making that can drive positive change in the Broome townsite. Noting this, we are supportive of several of the stated objectives under Section 1, Part 1	Support of specific objectives in the LPS.	Support for LPS objectives noted.	No recommendation required.

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			<p>of the draft Strategy, including the need to:</p> <ul style="list-style-type: none"> <li>• Promote practical and sustainable growth and development;</li> <li>• Activate Chinatown, Old Broome and Cable Beach as the key precincts of Broome;</li> <li>• Support access to suitable and affordable housing and accommodation that meets the needs of all community members;</li> <li>• Create attractive, well designed and climate responsive built environments, streetscapes and green spaces; and</li> <li>• Ensure safe, affordable and well connected, transport networks for all modes.</li> </ul>			
		Local Planning Strategy	<p>2. However, we also consider that the draft Strategy has an opportunity to present a bolder vision for the future growth of the Broome townsite, particularly in the key precincts of Chinatown, Old Broome and Cable Beach.</p> <p>Whilst the Shire’s stated intent for Precinct Structure Plans (PSPs) to be prepared for these key townsite locations is supported by Paspaley, the draft Strategy still has the opportunity to provide more aspirational strategic direction that is required to support meaningful change for the Broome townsite. This would offer an early opportunity for feedback from the community, whilst providing a strategic context for the future PSP process to focus on investigating a greater range of innovative solutions to support private investment in these key precincts. As part of this, there is an opportunity to acknowledge a number of the potentially transformative initiatives for the Chinatown and Old Broome area that have been presented to the Shire in recent times. In particular, we request that the draft Strategy is amended to include specific recognition of the opportunity to revisit and further investigate the following initiatives as part of the future PSP process:</p> <ul style="list-style-type: none"> <li>• Provision for a potential marina as an eastern extension to the existing Chinatown area to create a vibrant and economically viable waterfront interface; and</li> <li>• The proposed extension of Gray Street through to Old Broome Road and the associated realisation of additional commercial land that this would provide for town centre expansion to the west of the existing shopping centre development at 8 Short</li> </ul>	LPS requires a bolder vision for future growth, particularly marina to the east of Chinatown and extension of Grey Street and additional commercial land in Chinatown.	<p>The desire for a bolder vision for Broome’s key precincts is acknowledged. Their strategic importance is why future detailed planning is required to ensure positive long-term development outcomes.</p> <p>To allow meaningful change to occur, preparation of a Precinct Structure Plan was determined as the best course of action for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>State Planning Policy 7.2 – Precinct Design</i> provides a contemporary framework for planning and development in existing areas. The policy will allow for a coordinated approach that ensures detailed consideration for a range of design elements. This would include the ability to draft new planning controls associated with land use and built form provisions.</li> <li>• The Precinct Structure Plan would be prepared with a concurrent Scheme Amendment which is best practice for such exercises. This would allow for implementation of any changes to land use / built form provisions in the form of LPS7 zone and development requirements.</li> <li>• A Precinct Structure Planning process would allow targeted engagement to be undertaken in partnership with landowners and to define an appropriate future vision and design for the Chinatown area.</li> </ul>	Upheld - amend Figure 6: Planning Area A - Precinct Structure Planning Guidance to include a new notation regarding detailed planning and investigation of the proposed Gray Street Extension.

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			<p>Street.</p> <p>These initiatives offer desirable opportunities for town centre expansion that can complement the vision established under the draft Strategy and contribute to the supply of additional commercial land within the established Regional Activity Centre area. In addition, these initiatives provide opportunities to:</p> <ul style="list-style-type: none"> <li>• Offset the potential loss of land area to the north of Gray Street due to the coastal defence strategy being adopted in response to the findings of the Broom Townsite Coastal Hazard Risk Management and Adaptation Plan (the CHRMAP);</li> <li>• Consider alternative solutions for the provision of coastal defence mechanisms required to address the findings of the CHRMAP, in a manner that can achieve a tangible return on investment through the creation of new commercial opportunities that can contribute to increased investment and activation with the Chinatown area;</li> <li>• Grow Chinatown as a consolidated and connected activity centre driving its retail competitiveness within Broome, especially whilst the Broome Airport remains in its current location, rather than future growth being reliant on disconnected areas to the south that would potentially split the town centre into a number of disparate elements or satellite centres; and</li> </ul> <p>Increase the prosperity of the anchor businesses that are supporting the Broome townsite, which in turn will provide opportunities to attract greater skills and capacity to the region, and the population growth opportunities that come with this.</p> <p>Paspaley is aware of a number of independent parties that are seeking large areas of commercial floorspace in the Chinatown area. However, to realise this interest in a soft demand economy, it is imperative that the State and local government find and support large, flexible, development sites, enabling opportunities to accommodate new retail and commercial offers for Broome. Whilst these opportunities are often challenging and require innovative solutions, limiting new development only in infill locations often limits growth opportunities and prohibits adoption of affordable building techniques, placing greater building expense on projects that are by their nature (in a regional economic context with associated price premiums) often marginal.</p> <p>Consistent with the above, we request that Shire includes specific</p>		<p>Regarding proposed amendments <i>Figure 6: Planning Area A – Precinct Structure Planning Guidance</i>, the benefits of the two proposals are acknowledged. It is the Shire’s view that consideration for a potential marina is too premature having not been recognised in any formal Council documents.</p> <p>The proposed Gray Street Extension is agreed for inclusion given its recognition in the Broome Townsite CHRMAP. However, given the amount of work required to determine the viability of the proposal, it is agreed that any notations are very clear that these projects are subject to detailed planning and design studies.</p>	

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			<p>reference to the opportunity to revisit both the potential marina project and the potential extension of Gray Street as part of the future PSP process for the Chinatown area, in Section 3, Part 1 of the draft Strategy. We also request that this include two notations on <i>Figure 6: Planning Area A – Precinct Structure Planning Guidance</i> as follows:</p> <ul style="list-style-type: none"> <li>• A notation to indicate the potential to undertake a detailed planning study for the Gray Street extension area (i.e. the land west of the Paspaley Plaza and east of Old Broome Road) to potentially facilitate the expansion of Chinatown to the east.</li> <li>• A notation to indicate the potential to undertake a detailed planning study for the land to the east of Dampier Terrace and the associated area of the bay as a future marina site.</li> </ul>			
		Local Planning Strategy	<p>3. In addition to the comments provided above, we also:</p> <ul style="list-style-type: none"> <li>• Support the Shire’s intent to pursue the relocation of Broome Airport to unlock greater development opportunities in the Regional Centre zone, including residential opportunities. This would be a transformative outcome, as an opportunity for growth and greater connectedness across the Broome townsite. It should therefore be pursued as a key priority in implementing the draft Strategy.</li> <li>• Support the intent to foster greater connections between Chinatown and Old Broome, and to encourage development that strengthens that connection.</li> <li>• Commend the stated intent to retain and celebrate Broome’s unique cultural heritage, including the Chinatown Conservation Area, whilst recognising the need to support sensitive redevelopment, adaptation and interpretation. However, there is an opportunity for the Shire to further demonstrate its commitment to working with the private sector to encourage heritage conservation and adaptation. This could be achieved by acknowledging in the draft Strategy that variations to key built form controls (including plot ratio, site cover and building height) will be considered in accordance with Clause 12 of the Deemed Provisions for developments that deliver positive heritage conservation outcomes.</li> </ul>	Support for specific Local Planning Strategy initiatives.	<p>Paspaley’s support for the following initiatives is acknowledged and noted:</p> <ul style="list-style-type: none"> <li>• The relocation of Broome International Airport.</li> <li>• Greater connectivity between Chinatown and Old Broome.</li> <li>• Support preservation of Broome’s unique character and heritage through sensitive redevelopment.</li> </ul> <p>Regarding the desire to support variations to built form controls when delivering positive heritage conservation outcomes, this is an element which is expected to be covered in the Precinct Structure Plan (with the same justification as provided above).</p>	Noted. No modification to draft LPS required.
		LPS7	4. Building on several of the recommendations outlined above, we also provide the following comments specifically in relation to the content of draft LPS7, which will ultimately replace the current LPS6	Support objectives of the Scheme but the controls in LPS7	Noted support for high level objectives.	Noted. No modification to draft LPS No. 7 required.

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			<p>as the primary statutory control on the use and development of land within the Shire.</p> <p><u>General Comments:</u></p> <p>We support the high level objectives under Clause 9 of draft LPS7, including to:</p> <p><i>Facilitate responsible growth and development with respect for Broome's unique heritage, complemented by the timely provision of supporting infrastructure;</i></p> <p><i>Promote a strong and diverse economy;</i></p> <p><i>Support access to suitable and affordable housing and accommodation to meet all community needs;</i></p> <p><i>Support strategically led business growth, innovation and entrepreneurship across all sectors of the Broome economy; and</i></p> <p><i>Mitigate climate change and natural disaster risks.</i></p> <p>However, we note that the development controls in, and resultant development potential offered by, draft LPS7 are largely the same as the Shire's existing LPS6, with discretion available to vary key built form controls where supported by a PSP, local development plan (LDP) or other planning instrument.</p> <p>It will therefore be essential that where the requirement for a PSP or LDP has been identified, it is progressed as a matter of priority by the Shire with a clear intent to identify opportunities for increased development potential in key precincts if draft LPS7 is to appropriately implement the growth objectives that underpin the draft Strategy. Actively pursuing this outcome will be integral to revitalising the Broome townsite, as simply maintaining status quo development standards from LPS6 will not be sufficient to drive positive change in the Broome townsite through private investment, which the draft Strategy acknowledges has stalled over the last decade.</p>	<p>largely reflect LPS6 which would not encourage new development. Precinct Structure Plans should be progressed as a priority.</p>	<p>Noted support for a contemporary planning scheme to facilitate precinct planning which the submitter considers should be undertaken as a matter of priority.</p>	
		LPS7	<p>5. With respect to the proposed land use controls under draft LPS7, we request that the Shire's approach to land use permissibility for 'workforce accommodation' be revisited to designate this as a standalone discretionary ('D' or 'A') use, rather than an incidental ('I'), use within Regional Centre, Mixed Use and Tourism Zones under Table 3 of draft LPS7, on the basis that:</p> <p>a. The lack of availability and affordability of accommodation for workers is one of the biggest challenges facing Broome and regional Australia, and is closely tied to the ability to attract and retain skilled workers. This is exacerbated by land use controls that</p>	<p>Workforce accommodation land use should be a 'D' or 'A' use in the Regional Centre, Mixed Use and Tourism Zones not an 'I' land use.</p>	<p>Modifying the current proposed Workforce Accommodation (which by way of definition can include modular or relocated structures) land use permissibility in the Regional Centre, Mixed Use and Tourism Zones from an 'I' to an 'D' or 'A' use is considered undesirable. This could potentially provide for a modular workers camp within areas which seek to achieve a higher level of built form. Existing residential land uses within these zones (i.e. grouped or multiple dwellings) could still be developed and use for workforce accommodation and are already permitted or discretionary land uses in these zones.</p>	<p>Dismissed - no modification to draft LPS7 required.</p>

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			<p>limit dedicated workforce accommodation to being established only where incidental to the primary use of land on a given site, as proposed under draft LPS7.</p> <p>b. Innovative solutions in higher urban use areas that extend beyond the traditional concept of workforce accommodation being limited to an incidental component on the same site as the land use to which the accommodation relates, should be encouraged within Broome where appropriate standards of amenity and design can be achieved for the accommodation. This would allow major tourism operators the potential to develop their own workforce accommodation facilities on independent sites, offering greater flexibility in the design and siting of such facilities.</p> <p>c. Achieving appropriate standards of amenity and design for workforce accommodation can be controlled through the designation of workforce accommodation as a discretionary land use, which inherently requires consideration via a development application.</p> <p>This approach will allow Broome to remain competitive in attracting vital skills to the region, whilst offering an opportunity to increase the critical mass of people required to support local business and activate key precincts within the Broome townsite.</p>			
		LPS7	<p>6. With respect to the detailed built form controls under draft LPS7:</p> <p>We note that across several land use zones, including the Regional Centre, Mixed Use and Tourism Zones, Clause 10(2) in Schedule 4 of draft LPS7 establishes a default 10.5 metre wall height and 14 metre overall height for mixed use and non-residential developments, which can then be varied through the adoption of a PSP, LDP or other local planning instrument. However, for purely residential developments, draft LPS7 is silent on applicable building height limits for areas coded R40 or greater, which would then default to the provisions of the Residential Design Codes (R-Codes). At the R40 density, this would default to a permitted height of two (2) storeys only, rather than the three (3) storeys that would be able to be developed within the building height controls applicable to mixed use or non-residential developments. We are of the view that the 10.5 metre wall height and 14 metre overall height under Clause 10(2) in Schedule 4 should apply to all forms of development within the specified zones given that these areas are identified as being capable of accommodating development of this scale. This provides consistency across land uses and ensures that the built form controls do not inadvertently discourage one land use over another in these zones.</p>	<p>Building height controls – residential building heights should be the same as other development - 10.5 (note its 10m) metre wall height and 14 metre overall height</p>	<p>Supported, as detailed in the Hawaiian response above.</p>	<p>Uphold in part - modify the Scheme text accordance with the Schedule of Modifications LPS7 to clarify that height for all development in the zones will be calculated in accordance with Clause 10 of Schedule 4.</p>

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		LPS7	<p>7. We note that draft LPS7 uses a combination of plot ratio, site coverage, building height and setback controls to guide built form outcomes across the Shire. In our view, site coverage, building height and setbacks as a collective set of development controls are more than sufficient to control built form outcomes, without the need for plot ratio as an additional (and somewhat arbitrary) control. Site cover is a very effective tool at controlling the proportion of buildings to open space and landscaping on a site and should be used as the primary built form control rather than plot ratio. We would therefore recommend that the Shire either removes, or reduces the reliance on, plot ratio as a fundamental development control within draft LPS7.</p> <p>Site coverage is also not a defined term under draft LPS7 and therefore the method by which this is assessed is unclear. This term should therefore be clearly defined within Part 6, Division 1 of LPS7 as relating to fully enclosed above ground structures only, and excluding basement parking and at-grade open air parking.</p>	<p>Plot ratio controls should be removed from the Scheme.</p> <p>Site coverage should be a defined term in the Scheme to provide clarity.</p>	Supported, as detailed in the Hawaiian response above.	Uphold in part - modify the LPS7 text accordance with the Schedule of Modifications LPS7 to remove plot ratio development standards and include definition for site coverage.
		LPS7	<p>8. In relation to car parking, we support the reduction in required car parking for single bedroom dwellings from two (2) bays per dwelling under the current LPS6 to one (1) bay per dwelling under Clause 26, sub-Clause (2) and (3) of draft LPS7. This is a positive change that will support the delivery of more diverse housing options within the Broome townsite.</p>	Support LPS7 proposal to reduce car parking to single bedroom dwellings.	Support noted.	Noted, no modification to draft LPS7.
		LPS7	<p>9. Additional specific comments in relation to Paspaley's development interests within the proposed Regional Centre, Mixed Use and Tourism Zones under draft LPS7 are also provided below.</p> <p><u>Regional Centre Zone:</u></p> <p>We support the general objectives for the Regional Centre Zone, which build on the recommendations of the draft Strategy.</p> <p>However, the reliance on the preparation of a PSP or LDP to exceed the default R-Codes plot ratio requirements specified under Clause 13 in Schedule 4 of LPS7 would result in the default permitted plot ratio within the Regional Centre Zone being reduced from the 1.0 in the current LPS6 to 0.7 under the draft LPS7. This is illogical in the context of the objectives of the draft Strategy to drive growth in the Regional Activity Centre area. Therefore, if plot ratio is to be retained as a fundamental development control in draft LPS7, then the default plot ratio for the Regional Centre Zone should be increased under draft LPS7 to, at a minimum, match the permitted 1.0 plot ratio under the current</p>	<p>Regional Centre zone – plot ratio clarification required.</p> <p>Support progress of PSP as a priority.</p>	See comment above.	See recommendation in row 7 above.

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			LPS6.  The Regional Centre Zone is also the most important example of the need to progress a PSP as a matter of priority, in order to investigate appropriate opportunities for expansion, intensification and activation of the Chinatown area, consistent with the comments provided previously in this correspondence.							
		LPS7	<p>10. <u>Mixed Use Zone:</u></p> <p>We support the general objectives for the Mixed Use zone.</p> <p>However, in relation to the specific Additional Use right that applies to the Paspaley site described in the introduction of this correspondence, it is unclear why this Additional Use right identifies 'multiple dwellings' and 'grouped dwellings' as discretionary ('D') uses when this is already the case in Table 3 of draft LPS7. We are of the view that the Additional Use right should designate 'multiple dwellings' and 'grouped dwellings' as a permitted ('P') uses, rather than discretionary uses for the Paspaley owned site and request that this is updated accordingly in Schedule 1 of draft LPS7. This would reinforce the intent to pursue increased residential density on key sites within the Old Broome area, with the Paspaley owned site offering a significant opportunity to contribute to this desired pattern of growth.</p> <p>It is also unclear on what basis the Shire is establishing a presumption against subdivision in the Mixed Use zone in the absence of a structure plan or local development plan. It is our view that any proposed subdivision should be able to be considered on its individual merits through the subdivision process, and therefore Clause 15(5) and (6) in Schedule 4 of draft LPS7 should be deleted or amended to reflect this.</p>	<p>(i) Supports Mixed Use zone objectives</p> <p>(ii) Amend Schedule 1, A12 Lot 213, 214 and 216 Hamersley St and Lot 215 Louis Street by modifying the use permissibility from a "D" (discretionary) to a "P" (permissible Use). As permissible under Table 1: Zoning Table.</p> <p>liii) Subdivision in the zone should not require a Structure Plan or LDP.</p>	<p>Supported. Update the additional use schedule to outlined that the additional use would be a 'P' use.</p> <table border="1" data-bbox="1676 724 2457 861"> <tr> <td><b>A12</b></td> <td>Lot 213, 214 and 216 Hamersley Street and Lot 215 Louis Street as indicated on the scheme maps.</td> <td>Grouped Dwellings and Multiple Dwellings  'D' use.</td> <td>As determined by the local government.</td> </tr> </table>	<b>A12</b>	Lot 213, 214 and 216 Hamersley Street and Lot 215 Louis Street as indicated on the scheme maps.	Grouped Dwellings and Multiple Dwellings  'D' use.	As determined by the local government.	Uphold in part – modify reference to A12 so that Grouped or Multiple Dwellings are a 'P' use.
<b>A12</b>	Lot 213, 214 and 216 Hamersley Street and Lot 215 Louis Street as indicated on the scheme maps.	Grouped Dwellings and Multiple Dwellings  'D' use.	As determined by the local government.							
		LPS7	<p>11. <u>Tourism Zone:</u></p> <p>We support the acknowledgement of residential uses as being appropriate in the zone objectives under Clause 16 of draft LPS7. However, for the reasons outlined previously, we would request that the zone objectives under Clause 16 are expanded to include recognition of workforce accommodation as a potential use within the Tourism Zone.</p> <p>Consistent with the preceding point, we are broadly supportive of the recognition of residential opportunities in Clause 17(3) in Schedule 4 of draft LPS7, which enables approval of a mix of short-term tourism accommodation uses and residential uses on the same site. However, we are of the view that the conditions attached to Clause 17(3) in</p>	<p>Support the Tourist zone objective that residential use is appropriate.</p> <p>Zone objectives expanded to include recognition of workforce accommodation as potential use in Residential zone.</p>	<p>The request to expand the zone objectives to include workforce accommodation is not support. As detailed in the zoning table, workforce accommodation is appropriately identified as an 'I' use in the tourist zone.</p> <p>No changes are supported to the 60% tourism use requirement or changed methodology related to site area rather than number of dwellings as this does not adequately provide for the desired ratio of development between these two uses and would not align with the strategic intention under the LPS.</p>	No change recommended.				

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			<p>Schedule 4 are unnecessarily onerous, to the extent that they will continue to stifle private investment in the Cable Beach area, in a similar manner to the existing provisions of LPS6. We therefore recommend the following changes to provide increased flexibility through the development application process:</p> <ul style="list-style-type: none"> <li>a. The 60% tourism use requirement should be based on site area only and not unit numbers, with sub-Clause (a) being amended accordingly.</li> <li>b. Sub-Clause (c) should be deleted or amended to remove reference to integrating the "management structure" of residential and tourism uses, to provide greater flexibility in ownership structures.</li> <li>c. Sub-Clause (f) should be deleted and instead considered on a case-by-case basis as part of the development application process, to provide greater flexibility in the potential staging of redevelopment proposals.</li> </ul> <p>In addition, there is an opportunity within Clause 17 of Schedule 4 to consider the inclusion of provisions that enable consideration of adaptability in use through the development application process. In particular, there should be flexibility for alternative land uses, such as residential or workforce accommodation, to be considered in lieu of the provision of tourist accommodation where the applicant can demonstrate flexibility for future adaptation to dedicated tourism use.</p> <p>This approach has the potential to stimulate short term private investment in the area, whilst protecting the opportunity for the highest and best use of tourist accommodation as the tourism market matures to make this outcome economically viable.</p> <p>The above changes to Clause 17 in Schedule 4 of draft LPS7 would assist in addressing key findings of the draft Strategy relating to the need to address the lack of private investment in the Cable Beach area over the last decade and to consider land use diversification to improve precinct activation outside peak tourism periods. It is our view that encouraging alternative land use outcomes, such as residential and workforce accommodation, is essential to addressing these issues, whilst also providing an opportunity to address broader accommodation issues across the Shire area.</p> <p>As noted in the general comments provided previously, 'workforce accommodation' should also be designated as a discretionary ('D' or 'A') land use for the Tourism Zone within Table 3 of draft LPS7, in conjunction with the recommendations provided above.</p> <p>We also support the stated intent to prepare a Precinct Structure Plan</p>	<p>The 60% tourism use requirement should be based on site area, not unit numbers.</p> <p>'Management structure' should be removed from 17 (3) (c).</p> <p>Sub-clause 17 (3) (f) – outlining that residential development should not proceed tourist land use, should be removed.</p>	<p>The intent of the zone is to provide adequate land for Tourism purposes and there is a need to ensure these objectives are met through a staged approach as provided for in the provisions.</p>	

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			for the Cable Beach area and encourage this to focus on opportunities for increased development potential and land use flexibility to support revitalisation of the Cable Beach tourism area.			
13.	Dinosaur Coast Management Group	Local Planning Strategy and LPS7	<p>When preliminary consultation on the LPS and LPS7 commenced some time ago the DCMG requested that a Special Control Area for the dinosaur tracks be included in LPS7. We note while the text within the LPS now recognises the scientific and cultural values of the dinosaur tracks and mentions these attributes in various sections there are no provisions within LPS7 that will provide direction and advice re future development and land use.</p> <p>See as follows:  <i>2.3.1. CULTURE &amp; HERITAGE - Celebration and recognition of Broome's culture and heritage was an important theme that arose during stakeholder engagement. It was noted as being both a strength and point of difference for the Shire as well as to an extent, an untapped opportunity. ...., cultural heritage values, should be given due consideration when reviewing future development proposals. Increasing knowledge and importance of cultural heritage corridors, ..... and dinosaur footprints to assist in the preservation of significant landscapes and artefacts for future generations is recommended in this Strategy's direction and action via several key initiatives.</i></p> <p>Table 8: 'Culture &amp; Heritage – Planning Directions and Actions' then states dinosaur tracks should be protected <i>to ensure this unique feature is preserved for current and future generations</i>. The way this is to occur is supposedly by supporting the mapping and the introduction of new Scheme provisions.</p> <p>However, it then goes on to state:  <i>Dinosaur footprints are protected under the Environment Protection and Biodiversity Conservation Act 1999, however, recognition in planning decisions through the Strategy is appropriate given their heritage significance nationally and internationally.</i></p> <p>The DCMG again requests that a Special Control Area – Dinosaur Coast be included in LPS7.</p> <p>The proposal that by referencing the dinosaur tracks through the LPS will protect the dinosaur tracks for current and future generations because the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (the Act) provides protection is an incorrect and flawed assumption.</p>	<p>Support recognition of the dinosaur footprints in the LPS but request that it is acknowledged in the LPS7 through inclusion of a Special Control Area.</p> <p>Proposes the inclusion of a new SCA (Part 5 and Schedule 8) and accompanying draft proposed provisions</p>	<p>Submission supports recognition of scientific and cultural values of the dinosaur tracks, however, it highlights that LPS mapping does not include up to date data which has been prepared to support the Management Plan currently being drafted. There is an opportunity to incorporate the recommended mapping references on the Strategy Maps (Figure 5).</p>	<p>Upheld - amend Strategy Maps in Part 1 (Figure 5) to correctly reference and label the Dinosaur Coast Management Plan protection areas.</p>

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			The GIS mapping done as part of the development of the MP uses the most recent and accurate spatial data available and this has identified the Gazetted spatial information (gazetted NHL boundaries) is neither accurate nor internally consistent.			
		LPS7	<p><b>Local Planning Scheme No 7 Schedule 8</b> - be updated as follows</p> <p><b>Number – 9</b></p> <p><b>Name of Area</b> – SCA9 – Dinosaur Coast Area</p> <p><b>Purpose</b> – To ensure compatibility of land use and development with the associated National Heritage Values of the dinosaur tracks as gazetted under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p><b>Objectives –</b></p> <ol style="list-style-type: none"> <li>1. To avoid incompatible development and land use within the Dinosaur Coast Heritage Management Plan area</li> <li>2. To protect the National Heritage Values of the dinosaur tracks and ichnofossils that are contained within the Broome Sandstone</li> </ol> <p><b>Additional provisions</b></p> <ol style="list-style-type: none"> <li>1. Before the local government considers any approval for development and land use within the Dinosaur Coast (SCA) require that a National Heritage Value assessment be completed in accordance with the checklist* provided in Schedule 2. The local government may impose conditions in granting development approval for development and land use within the Dinosaur Coast (SCA) relating to any of the following matters: <ol style="list-style-type: none"> <li>a. The development is proposed to be carried out in a manner which minimises the risk of damage to National Heritage Values of the Broome Sandstone and ichnofossils including dinosaur tracks through: <ol style="list-style-type: none"> <li>i. unrestrained and increased visitation</li> <li>ii. sedimentation or similar change to the natural coastal processes *</li> </ol> </li> </ol> </li> </ol> <p>In conclusion the DCMG looks forward to working with the Shire of Broome to ensure the 130 million year old dinosaur tracks can continue to be enjoyed by future generations.</p>	Proposed wording for Special Control Area provided	<p>The subject/affected land is located within the coastal foreshore within the tidal area and located within the Waterbodies and the Coastal reservations. As such, the subject land has a high degree of planning guidance within the intent of these reservations which prohibits incompatible use and development within the coastal foreshore reservation. It is considered that other regulatory frameworks can more appropriately deal with the protection of these assets and furthermore that inclusion of this as a SCA does not align with direction provided WAPC Local Planning Manual.</p> <p>Further discussion DPLH, indicated that a SCA was not the appropriate scheme mechanism to address this issue.</p>	Uphold in part – additional objective to be added to LPS7 Part II text. Request to include SCA dismissed.
14.	Phil Docherty	Local Planning Strategy	<p>Yesterday I was delighted to receive a copy of the Broome Urban Renewal Strategy report, a process I was involved in over five years ago. I was even more pleased to hear that its being referred to in the Shire of Broome’s Local Planning Strategy. However, I hear it hasn’t yet been adopted by the SOB.</p> <p>Not only is this concerning, but also the lack of disconnect with the SOB and the WA Department of Housing with whom I have had recent</p>	<p>Support recognition of the Urban Renewal Strategy (URS) in the LPS.</p> <p>Request that the Shire adopt the URS.</p>	<p>Noted that there is support for recognition of the Broome Urban Renewal Strategy in the LPS.</p> <p>It is acknowledged that there is a desire for formal adoption of the URS, however, this is separate to the LPS / Scheme Review process.</p>	No recommended changes required.

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			<p>correspondence. Minister Carey’s representative responded to my letter saying there would be no change in the Housing policy in Broome or the wider Kimberley.</p> <p>The questions I ask then are:            Are the Shire of Broome adopting the Urban Renewal Strategy and its recommendations?</p> <p>If not, what alternative steps are the SOB taking to improve social housing and the associated negative impacts of poor housing policy and planning?</p> <p>My observations in Broome over the past 20 years is that high density social housing leads to dysfunction, violence, and ultimately high rates of juvenile delinquency. I see the SOB adopting the URS as a step in the right direction            By not adopting the URS and continuing to allow the WA Housing Department to increase the housing density in the targeted areas of Anne St, Dora St and Woods Drive the SOB is complicit in failing their duty of care to their constituents.</p>		<p>Further, as stated in Part 2 – Section 4.2.2 (Existing Residential Areas) implementation of the URS is likely to take many years with one of the primary challenges being:</p> <p><i>“...full costings have not yet been developed by the Department or priorities established”.</i></p> <p>The LPS recognises the importance of the URS but acknowledges that it is a long-term solution that will require cross-agency implementation across all levels of government.</p>	
15.	Carmel Leahy	Local Planning Strategy	<p>In 2016 the Shire identified and named three Broome trouble spots: the Anne St Precinct, the Dora St Precinct and the Woods Drive Precinct. An Urban Renewal process was begun. The final strategy has not been adopted by the Shire and this document does not appear on the Shire website. To my knowledge the final Broome Urban Renewal Strategy was never sent out to those involved in the process. I for one never received the document until I chased it up myself. Yet this document seems to be part of the Broome LPS.</p> <p>Police Commissioner Chris Dawson told Radio 6PR on 23 February that since Operation Regional Shield began it had picked up 83 children on the streets of Broome in the last week. We can predict most of those children come from one of the three troubled precincts identified for Urban Renewal in 2016.</p> <p>Clearly there is a relationship between poor planning and youth crime. Yet in five years the Shire has not endorsed the Broome Urban Renewal Strategy, released it to the public or beat the drum to get the Department of Communities to follow the actions agreed to in this document. In fact, the Department of Communities are set to increase the density of social housing in these precincts by using the R30 coding, knocking down aging stock and building two dwellings on the blocks. A letter from Minister Carey stated explicitly to me that they have no plans to facilitate ownership of their stock in the precincts.</p>	<p>Support recognition of the Urban Renewal Strategy (URS) in the LPS.</p> <p>Request that the Shire adopt the URS.</p>	<p>Noted that there is support for recognition of the Broome Urban Renewal Strategy in the LPS.</p> <p>It is acknowledged that there is a desire for formal adoption of the URS, however, this is separate to the LPS / Scheme Review process.</p> <p>Further, as stated in Part 2 – Section 4.2.2 (Existing Residential Areas) implementation of the URS is likely to take many years with one of the primary challenges being:</p> <p><i>“...full costings have not yet been developed by the Department or priorities established”.</i></p> <p>The LPS recognises the importance of the URS, but acknowledges that it is a long-term solution that will require cross-agency implementation across all levels of government.</p>	No recommended changes required.

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			<p>The Broome Urban Renewal Strategy has been designed to be carried out in a ten-to-fifteen-year time frame. It has sat on the shelf for five years so far. I am concerned the current Broome LPS is not making this strategy the priority it should be. Youth crime needs a long-term fix. The Broome Urban Renewal is one tool the Shire can use to address this issue.</p> <p>'Long-term implementation', 'ongoing' seem vague, aspirational expressions. Given that the Urban Renewal Strategy has still, after five years not been endorsed by the Shire or released to the public, I would like to see more specific actions and times in the Local Planning Scheme that match the urgency of the situation.</p> <p>As the Police Commissioner has repeatedly said, youth crime is not just a policing issue. It needs long term, community driven solutions. It's not okay for Minister Carey to simply state how much money his department is spending without regard to the impact on these families. We worked hard on the Broome Urban Renewal Strategy to address some of these problems. Those 83 children picked up by police need a healthy, cohesive community to return to and grow up in. The Broome Urban Renewal Strategy cannot keep being pushed aside for the grander infrastructure projects that are currently being prioritised.</p> <p>I would like to see a Broome LPS that clearly leads the Department of Communities to implement the Broome Urban Renewal Strategy within the next ten years.</p>			
16.	Department of Planning, Lands and Heritage	Local Planning Strategy.	<p>1. I refer to the Shire's draft new Local Planning Strategy and Scheme. As you may be aware, the Broome South WWTP site is Crown land set apart for the purpose of 'Sewerage Treatment Works' with a Management Order issued to Water Corporation.</p> <p>As per an announcement by the Minister for Water in August 2020, the Water Corporation is preparing to decommission the Broome South WWTP and consolidate its operations to the Broome North WWTP. This is proposed to address various environmental issues and enhance operational efficiencies.</p> <p>Following this process, the Broome South WWTP site will be declared surplus to requirements and returned to the State to determine the optimal future use for the site, which will consider contamination implications.</p>	<p>Closure of the Broome South WWTP and future designation under LPS.</p> <p>Confirmation that DWER has been consulted on the suitability of the future land use for the site under the LPS.</p> <p>Department of Health is unaware of any future plans for a</p>	<p>No formal rezoning is proposed as part of the LPS, the strategic intent is for future structure planning to occur, which would facilitate rezoning and more detailed planning of the site (inclusive of any technical studies).</p> <p>The potential consideration for a hospital and other medical uses were driven by:</p> <ul style="list-style-type: none"> <li>The location identified for a future hospital in the previous LPS is no longer deemed appropriate given unlikelihood of airport relocation for quite some time, and distance from other services in the Townsite.</li> <li>The other parcels included within Planning Area D are owned by Nyamba Buru Yawuru who have plans to develop health facilities in the area, this was therefore deemed an appropriate synergy and opportunity for consolidation.</li> </ul>	Noted, no modification to the LPS is required.

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			<p>I note the Shire proposes to rezone the land to 'Health and Wellness Precinct' and possibly a hospital. The Department of Planning, Lands and Heritage (Lands Division) has had preliminary discussions with Water Corporation regarding remediation requirements, noting Reserve 37454 (Lot 1639) is a source site polluter and Water Corporation would be responsible for the remediation of any groundwater impacts to adjoining Lot 604.</p> <p>Could the Shire please confirm if it has consulted with the Department of Water and Environmental Regulation to consider if a site classification of 'Remediated for Restricted Use' (which is the most likely outcome) would be suitable for a 'Health and Wellness Precinct – and possibly a hospital', noting this could be considered a more sensitive land use that requires a higher level of remediation.</p> <p>Further, I have spoken to the Department of Health who is unaware of any future plans for a hospital/health campus in Broome.</p> <p>The Lands Division would like to discuss the future use of this site and proposed zone further.</p>	<p>hospital/health campus in Broome.</p> <p>The Lands Division would like to discuss the future use of this site and proposed zone further.</p>	<ul style="list-style-type: none"> <li>As part of the pre-lodgement engagement process discussions were held with the WA Country Health Service (WACHS) who acknowledged that eventually a new facility would be required in Broome (though not an immediate priority). The preference is for a new site due to spatial constraints at the Robinson Street site.</li> </ul> <p>For the reasons outlined above, exploration of suitability for health facilities in this location were desired. The LPS does also acknowledge that ongoing liaison with Water Corporation would be required regarding remediation.</p> <p>The Shire can confirm that no discussions have been held with the Department of Water and Environmental Regulation regarding the remediation of this site.</p>	
17.	Astrid Gerrits	LPS7	<p>1. May I please ask for clarification and press the importance of cultural/ecological corridors throughout the estate? This was always the basic premise however they seem to disappear into the drains (that is NOT the same as green space, particularly not if they are bulldozed for maintenance instead of keeping them vegetated). In the new area the main eco corridor is actually severed midway which renders any connection from North to South impossible for wildlife.</p> <p>I would like to press the importance not only for ecological but also for liveability reasons of the corridors and would like to see the Shire to prioritise these connections. This may be challenging planning wise however those areas in Broome where wallabies frequent the parks and a variety of birds and reptiles are seen are favoured and keep the country healthy.</p>	Request clarification of the reserve 'Environmental Conservation and Cultural Corridors'.	Noted. LPS7 incorporates an Environmental Conservation and Cultural Corridors reservation which addresses this. No change to scheme deemed required in this regard.	Noted, no modification to the draft LPS7 is required.
		Local Planning Strategy	<p>2. Re the service centre design. I have been thinking about this and also asked on the Broome Noticeboard (a quagmire at times) if people wanted to share their experiences about shopping in Broome; what do they favour and why. That aside I have thought about some aspects that you are planning for and would like to share my thoughts for you to consider.</p> <p>In brief, on the BNB people shared that in Broome they like the Boulevard for a quick 'in and out', cool in the wet season and most</p>	Community views on commercial development	Comments on shopping centre design are noted and acknowledged. The items raised as matters for consideration in development assessment or through preparation of a Local Development Plan, not through a Scheme or Strategy.	No change recommended.

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			<p>like the new solar paneled parking spaces as it gives access to shade. People loathe the too big empty shops and quite a few people avoid the Boulevard all together. Most favour Paspaleys and at times include Chinatown or Johnny Chi Lane for local browsing, nice shopping experience, access to variety, typical Broome.</p> <p>Only a handful of people responded on fb, however I would like to share this with you as I hear similar sounds when talking with people.</p> <p>Mentioned favoured features are:</p> <ul style="list-style-type: none"> <li>- small shops</li> <li>- pedestrian and cycle access (or exclusively)</li> <li>- green: plants and trees</li> <li>- alfresco areas/terraces (cafes) provided there is breeze and/or shade</li> <li>- market style shopping: laneways, outdoor eating, boutiques</li> <li>- product target shops such as bakery, green grocer, butcher opposed to supermarket</li> <li>- shaded or undercover parking</li> <li>- Broome vibe such as Paspaley</li> <li>- some residencies above</li> <li>- ability to have no fuss/quick access to whatever destination in case you no lust to wander</li> <li>- community orientated open space expressed by one</li> <li>- box style homemaker centre desire expressed by one</li> </ul> <p>What kept me occupied most after having seen the draft planning design, was the massive car parks and the road cutting through the centre. Broome is still a small town and will remain that for a long time to come, I think it is good to keep that in mind. Even if at times it is super busy, at least half the year it is very quiet. It would be great that the new area feels good and works with both scenarios.</p> <p>I loved the unmarked public traffic space as it encourages foot traffic and actually makes traffic safer (a lasting experiment of a central station in The Netherlands has proved that: when taking away all markings and specific paths, people are more careful and it looks 10x better. Short street is getting there now, however cars are allowed).</p>			
			<p>3. Re the parking lots. Most people really dislike crossing large parking areas; it is hard to find your car, hot, cramped and generally unpleasant. Cars circle like sharks trying to get that one spot closer to the building and are increasing traffic. They are large slabs of</p>	<p>Suggestion on parking design and mitigation of heat issues.</p>	<p>Comments noted. Management of climate and particularly urban heat island effect is acknowledged as an issue. Mitigation is primarily a more detailed planning / design issue, and it would be expected that the Chinatown / Old Broome Precinct Structure Plan</p>	<p>No change recommended.</p>

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			<p>concrete that accumulate and reflect heat, water just runs right off, reasonable pedestrian access is always hard to create. And when it is quiet it is just wasted space and desolate. The new solar at the Boulevard is great for shade and terrible for parking manoeuvres (the grid of the roof interacts with the road markings and it is challenging to see what you are doing which is distracting and thus dangerous).</p> <p>If you were to opt for more 'around' parking you can spread the masses, enable much easier and closer access, shade with trees which will also look great and keep things cool. If you look at Paspaley's which I actually believe is quite well designed considering this was done 30 years ago or so they have been very smart with parking. The outdoor parking area adjacent to Short street is sizable but not massive and fairly quick and easy to access. There are lots on the streets all around the shopping centre, more behind Coles and: the upper story parking area is huge. The interesting thing about that is that Paspaley does not come across as a monstrosity (compared to the Boulevard); it seems small. Yet it is 2 storey and the full top area of Coles enables parking that is cool. Much favoured by locals. (And that could be solar panelled rather than roofed?). Except the access: first an escalator that often broke, now one elevator which also doesn't always work. Horrible for parents with prams or wheelchair users of course. I would suggest 2 or 3 pedestrian/wheelchair friendly ramps (does Ikea have one as an example?), you will need to shade them or have them under the roof still and have a non-slip surface, also when it rains).</p> <p>An advantage if you enable 'around' parking on surrounding streets is that people can park where they want to go for quick and targeted shopping rather than having to cross first the parking lot and then potentially half the shopping precinct.</p> <p>Also you could leave out the road that cuts through the centre as you would direct traffic around it (maybe enable emergency vehicle access). This enables much nicer pedestrian access, alfresco hospitality options and community shared space. Having shops fairly close to each other and all having eaves creates good sun cover whilst still being able to have trees scattered through. Alfresco/outdoor without the sun beating down will make a huge difference. If there is ample shade it will be a lot less hot and if you prevent having too many broad and large areas that will reflect heat that desire for aircon (and the need to air condition/cool huge</p>		<p>would address this in accordance with the requirements of <i>State Planning Policy 7.2 – Precinct Design</i>.</p>	

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			<p>quantities of unused air such like in the Boulevard) will largely be mitigated. And all shops carry their own anyway.</p> <p>People in Chinatown either access shops and cafes on the Coles/Dragonfly/Green Mango side, or go Napier/Johnny Chi Lane. Only easy slow shoppers (tourists) and few locals will bother to move through both crossing Carnarvon Street. Especially with stuff on you, people now hop in the car to move from Paspaley to Napier or back. That could be prevented from having shops closer together without a road cutting through. If you must section part of the development off with a road going through, I would suggest you keep the shopping area to one side and the other public use offices to the other (medical centre, library, dentist, physio etc) and prevent a cross sectional road through either; from my point of view they divide areas and access. Or at least leave the full shopping precinct connected and car free. If the public facility areas have a short divisionary road that may not be such an issue.</p> <p>If there would be rows or long blocks of shops, or building blocks, I strongly suggest to not just have cut through laneways such as now between Horizon and DMK/Ginrab Thai but to make these broader and into small squares such as you see in the SW (Denmark and Margaret River come to mind). These 'thorough fares' from around-parking areas to the shops are little centres of their own often with a few large shady trees, park style benches and sitting areas, hospitality terraces and shopping goods displayed outside (it would have to have eaves for things not to get sun damaged and for people to linger). These areas are usually busy and favoured for impromptu meetings, even reading, meeting and waiting etc.</p> <p>A design like that would also enable several fluent and aesthetically pleasant entries for pedestrians and cyclists either from the self-contained up market tourist accommodation on Lullfitz/Sanctuary Drive and the three adjoining suburbs of Waranyjarri, Roebuck and Sunset.</p> <p>To top it off, here is a crazy idea in regard to mitigating the heat issue of a more alfresco style precinct: have a water feature like a play fountain. Maybe not as big as the water park at Town Beach but some. It will draw public at all times and especially in the wet season. Water is always nice and appealing and even just the mist/spray would create a pleasant experience for passers by. Kids playing are</p>			

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			always nice to look at. Plant trees around it which can maybe some of the runoff water and you are on to a winner. Broome Nirvana!			
18.	Department of Primary Industries and Regional Development	Local Planning Strategy	<p>1. DPIRD acknowledges the Shire of Broome has extensive areas of rural land managed under the Land Administration Act 1997 (LAA) which supports pastoral businesses in the West Kimberley. The draft Local Planning Strategy notes the role played by pastoralism and aquaculture and the emerging opportunities for horticulture.</p> <p>DPIRD has completed land and water assessments in the La Grange including land capability assessment of Pindan soils in the La Grange area, West Kimberley and the La Grange interactive soil and groundwater map - Western Australia. Ten technical reports are published online in DPIRD's Research Library, search term: La Grange.</p>	Support the recognition of pastoralism and aquaculture and the emerging opportunities for horticulture in the LPS.	<p>DPIRD's support for recognition of pastoralism, aquaculture, and emerging horticulture opportunities noted.</p> <p>Further review of technical reports regarding La Grange supported, relevant inclusions to be incorporated into Part 2.</p>	Upheld - review technical reports related to La Grange to source additional text to be added to Part 2 of the LPS.
		LPS7	<p>2. The Shire's draft LPS7 supports agriculture but does not refer to pastoralism. The LPS also provides an opportunity to describe the statutory planning processes which apply to Crown land in the Rural zone. Information could include planning approvals required for diversification permits on pastoral leases, issued under Part 7 of the LAA and for proposals to change land use and development applications associated with diversified Crown leases and licences under the LAA.</p>	<p>While LPS7 supports agriculture does not refer to pastoralism.</p> <p>Statutory planning processes which apply to Crown land in the Rural zone should be incorporated into LPS7</p>	It is not the role of a Local Planning Scheme to provide guidance on statutory processes under other legislation. No change in this regard is recommended.	No modification to LPS7.
		LPS7	<p>3. DPIRD suggests the Rural zone planning objectives are changed to refer to the pastoral industry as follows:</p> <ul style="list-style-type: none"> <li>To protect <b>pastoral and</b> broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. (LPS7, Page 9)</li> </ul> <p>The fifth Rural Zone objective is truncated from the scheme template and should read:</p> <ul style="list-style-type: none"> <li>To provide for a range of non-rural land uses <b>where they have demonstrated benefit and are compatible with surrounding rural uses</b> (LPS7, Page 9)</li> </ul>	Recommendation to change the Rural objectives.	DPIRD advice on included Rural Objectives is noted. Inclusion of pastoral reference into the objective does reflect the predominate land use in these zones. The recommended changes to the Rural objectives are supported.	Uphold in part - modify the LPS7 in accordance with the Schedule of Modifications LPS7 to include reference to pastoral in the Rural objectives.
		LPS7	<p>4. Section 19 of Schedule 4 [Additional site and development requirements that apply to the scheme area] provides guidance about subdivision in the Rural Zone, Rural Smallholdings Zone and</p>	Incorrect reference in Schedule 19.	Noted typographical error to be corrected.	Uphold - modify the LPS7 in accordance with the Schedule of

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			Cultural and Natural resource use Zone. It incorrectly refers to Development Control Policy 2.4 School Sites instead of Development Control (DC) Policy 3.4 Subdivision of rural land. (LPS7, Page 77)		DPIRD land use permissibilities advice in relation to the Rural Zone is noted. The suggested rewording of the Winery Land Use definition is supported to reflect local context.	Modifications LPS7 to reference correct DC Policy.
		LPS7	<p>5. DPIRD suggests Agriculture - intensive should change from Permitted (P) to Discretionary (D) to allow decision makers to consider relevant provisions and guidelines associated with SPP 2.5 (5.8 Intensive agriculture) and draft <i>State Planning Policy 2.9 Planning for water</i> (SPP 2.9). Most local planning schemes in WA include this use as Discretionary in zoning tables.</p> <p>Issues for the Broome Shire to consider in assessing application for agriculture intensive includes flood and water erosion risk and mitigation if development is proposed for floodplains as well as potential impacts on water resources and sensitive environmental and cultural assets.</p>	Request that 'Agriculture – Intensive' is a 'D' not 'P' use in the Rural zone.	<p>The Shire as part of the omnibus amendment to LPS6 (gazetted in March 2018), this land use was changed from an A use to a P use. The reasons for this are set out in the omnibus amendment report and include:</p> <ul style="list-style-type: none"> <li>• While in some local government areas, Agriculture Intensive land use activities do have the potential to create land use conflict and therefore are discretionary uses under zoning tables, Broome is different. b</li> <li>• Firstly, the land that is zoned General Agriculture in the Shire is either a pastoral lease or Unallocated Crown Land. Therefore applicants seeking to undertake these types of land use activities must first obtain a diversification permit or other form of approval from the DPLH. As a part of the DPLH assessment process consideration must be given to the whether the land can adequately accommodate the proposed activity.</li> <li>• Further, given the Shire of Broome falls within a proclaimed groundwater area under the <i>Rights and Water Act 1914</i> applicants must obtain a permit from the DWER for the abstraction of water. DWER in considering such proposals assess whether the abstraction of water is sustainable. Furthermore, an applicant must also obtain a clearing permit from the DWER where the environmental impact of a proposal is addressed.</li> </ul> <p>Development does not add value to the processes that are already implemented through the assessments undertaken by the other government departments. As such, it is recommended that the land use is permitted which will mean that an applicant will not need to seek approval from the Shire to use land for Agriculture Intensive land use on land zoned General Agriculture.</p> <p>Based on the above, the request to change the land use permissibility is not supported.</p>	Dismissed.
		LPS7	6. Breweries are not 'incidental' to rural land uses in the Shire of Broome. DPIRD recommends breweries are changed from Incidental to Discretionary uses across all zones including the Rural zone.	Request that Brewery is a discretionary use, not incidental.	The definition of brewery is for the production of beer, cider and spirits. It relates to the production as opposed to the sale and consumption of the produce on site. Typically in the zones where Brewery is an Incidental land use such activities would be undertaken incidental to other land use activities (such as a	Dismissed.

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					restaurant which is the sale and consumption of food or drinks). The current incidental land use designation under LPS7 is deemed appropriate.	
		LPS7	7. Viticulture (growing of wine grapes) is unlikely in the Shire of Broome, due to climatic conditions being unsuitable. Wines made from tropical fruit are made in Broome. A more appropriate definition for a winery in the Shire of Broome LPS 7 is premises used for the production of fruit wines and associated sale of the produce.	Adjustment to the definition of winery.	Noted. Recommend that change is performed to LPS7.	Uphold. Modify the LPS7 in accordance with the Schedule of Modifications LPS7 to amend the definition of winery.
19.	John Wood	LPS7	<p>The current LPS No.6 indicates that the land which is currently zoned R10 could be rezoned as R40.</p> <p>Under the Draft LPS No. 7 which is currently on exhibition the land is also shown as R10 zone. The land is in an area marked as N (urban renewal)</p> <p>However, under the LPS7 the Residential zone objective is to "provide a range of housing and a choice of residential densities to meet the needs of the community"</p> <p>Under LPS7 heading "Urban Development" the objective is "provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of the scheme. To provide for a range of residential densities to encourage a variety of residential accommodation.</p> <p>In Part 4 - General development Requirement's clause 26 Modification of R-Codes, (1) Residential building height for all single houses and grouped dwellings and multiple dwellings in areas coded less than R40. This section details a list of modifications permissible for an R10 zone that now equates to R40 zone.</p> <p>In clause 32 Additional site and development requirements (1) states "Schedule 4 sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies."</p> <p>In Clause 34 Variations to site and development requirements, subclass (2) states "The Local government may approve an application for a development approval that does not comply with an additional site and development requirements. Subclauses (3), (4) and (5) details approval conditions.</p>	Request that 55 Walcott Street be zoned Residential R40 (currently Residential R10) under LPS7.	<p>LPS6 zones the land R10 and this is proposed to be maintained under LPS7.</p> <p>The subject property falls within the Old Broome Development Strategy and is within the Old Broome Special Character Area, which recommends that the density of the land be maintained at R10.</p> <p>As outlined in the submissions above, it is noted that the extent of Planning Area A and where future precinct structure plan should be undertaken should extend over the whole area included in the OBDS, which includes this property.</p> <p>The Old Broome Special Character Area and the development controls in relation to this can be reviewed through the PSP processes.</p> <p>Given upcoding the land to R40 would be inconsistent with the OBDS and would represent a 'spot' rezoning, request to amend LPS7 is not supported.</p> <p>It is noted however under LPS7 Map, it identified 55 Walcott Street with an Additional Use, however the Scheme Text does not outline the additional use (which is Service Station). The owner has confirmed a preference that the additional use is maintained for the site. Accordingly, it is recommended that the Scheme Text is updated to outline the Additional Use provisions, as currently specified in LPS6.</p>	<p>Uphold in part – Modify the LPS7 in accordance with the Schedule of Modifications LPS7 to include the text for the Additional Use (Service Station) for 55 Walcott Street, in line with LPS6.</p> <p>Request to amend the residential density is dismissed.</p>

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			<p>Under Schedule 4 item 14 (which includes the Residential Zone)  Heading: "STRUCTURE AND/OR LOCAL DEVELOPMENT PLAN" subclass  (3) states "Mixed use and residential development are to be assessed  under the R-40 density coding of the Residential Design Codes unless  otherwise provided for in the adopted local planning framework."</p> <p>Clause 1 Interpreting Zoning table  the development approval of the local government may be required to  carry out works on land in addition to any approval granted for the use  of land. In normal circumstances 1 application is made for both the  carrying out of works on, and the use of, land.</p> <p>LPS7 also states:  WORKERS ACCOMMODATION Provision of housing to accommodate  people working in key positions within the Shire's economy for instance  medical, emergency services, education and in Broome's case the  tourism and construction sectors is essential. Providing housing at a  price point and in a location that is appropriate to allow shift workers  safe and timely journey to work is an important consideration in the  residential provision in the Shire. Engagement with WA Country Health  Service and Communities raised that in Broome's property market there  can be insufficient residential properties for sale or lease to provide  accommodation for support staff working at their services (nurses  training, specialists, teachers etc).</p>			
20.	Water Corporation	Local Planning Strategy	The Water Corporation notes and supports the scheme and strategy. As a supplier of water and wastewater services, the Corporation relies heavily on these planning instruments to align and periodically review its short-term operations and long term infrastructure planning.	Supports LPS and LPS7	Support noted.	No recommendations proposed.
		LPS7	2. The Corporation notes and supports the streamlining and standardization of the scheme text and maps, which should make it easier for users and agencies to read and interpret these documents for their planning purposes.	Supports streamlining and standardisation of text and maps.	Support noted.	Noted. No modification to draft LPS7 required.
		Local Planning Strategy	3. In general terms, there is a close alignment between the Corporation's long term water and wastewater planning and the planned long term townsite footprint, development sequencing and the land uses reflected in the strategy and scheme. Further revisions of our planning and the timing of capital expenditure on infrastructure upgrades can and will occur into the future as the scheme and strategy are amended to meet changes in demand and growth direction. The Corporation welcomes a close working relationship with the Shire's planning department to keep abreast of any proposed changes and new developments.	The Corporation welcomes a close working relationship with the Shire's planning department to keep abreast of any proposed changes and new developments.	Noted.	No recommendations proposed.

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		Local Planning Strategy and LPS7	4. As the Shire would be aware through separate communications from the Water Corporation, the process has commenced to close the Broome South (Clementson St) WWTP and to pump wastewater northwards to the Broome North WWTP. The odour buffer around the WWTP will in future not be required after the plant has been decommissioned. Reference in the strategy and scheme to the Clementson St WWTP and its SCA can be removed as soon as the WWTP has been closed and is no longer operating. If the SCA is to remain in the scheme text and maps, then the issue could simply be noted with the addition of some text to Table 16 of the LPS regarding removal of the Broome South WWTP odour buffer once the relocation and remediation works are complete.	The buffer surrounding the Broome South WWTP can be removed from LPS and LPS7.	It is noted that the Broome South WWTP will cease operations in December 2022. As land use which triggers the need for the buffer will cease around the same time as the likely gazettal of LPS7, the request to removal this SCA is supported.	Uphold - Modify the LPS7 in accordance with the Schedule of Modifications LPS7 to remove the Broome South WWTP SCA.
		LPS7	5. The site and SCA for the Regional Resource Recovery Park (RRRP) are noted. It is understood that there have been prior negotiations between the Shire and the Water Corporation's Property Branch and DWER regarding the site selection and measures to protect the nearby groundwater resource.	SCA for RRRP noted.	The submitters support for the site and SCA for the Regional Resource Recovery Park (RRRP) in the draft LPS7 is noted.	Noted no change.
		Local Planning Strategy	6. The 'Future Tourism' area at Gantheaume Point requires more detailed investigations to determine if water and sewerage is required and if there is the capacity to extend services to future tourism development.	Future Tourism at Gantheaume Point requires investigation for servicing.	Noted. The LPS notes that utilities and servicing capacity would have to be considered as part of scheme amendment/structure planning for the site. LPS is deemed consistent with comment.	Noted no change.
		Local Planning Strategy	7. The 'Rural Residential Investigation' area to the northeast of the townsite is noted. This proposal similarly requires investigations into the capacity and capability to provide the area with water services, if required.	Rural Residential Investigation Area requires investigation for servicing.	Noted. The LPS notes that utilities and servicing capacity would have to be considered as part of scheme amendment/structure planning for the site. LPS is deemed consistent with comment.	Noted no change.
		Local Planning Strategy	8. Page 72 of the strategy refers a 'land swap' related to the Broome North WWTP. Given that this process has now concluded, the strategy can be amended to state something along the lines of "The Shire and Water Corporation are working collaboratively to ensure suitable land is available for the Broome North WWTP and resource recovery park"	Update reference to land swap for Broome North WWTP.	Noted. Request to update supported.	Uphold, page 72 of LPS text to be changed to state "The Shire and Water Corporation are working collaboratively to ensure suitable land is available for the Broome North WWTP and resource recovery park"
		Local Planning Strategy	9. To accommodate the long term wastewater treatment and treated wastewater reuse/disposal requirements of the Crab Creek Broome North WWTP to meet the ultimate planned townsite growth the Water Corporation may need to identify and secure additional land adjoining the WWTP site for additional pivot irrigation of fodder grasses. This issue should be noted as an annotation on the relevant LPS map.	Request for additional land adjoining Broome North WWTP be shown on LPS.	Noted, recommended that the LPS text is updated to reflect this need of the Water Corporation.	LPS text to be updated to reflect Water Corporation need to accommodate the long term wastewater treatment and treated wastewater reuse/disposal requirements. The Water Corporation may need to identify and secure additional land adjoining the WWTP site for additional pivot irrigation of

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						fodder grasses. To be noted as an annotation on the relevant LPS map.
		LPS7	10. Noting the consolidation of SCAs in part 5 of the scheme text and listed in Schedule 8, it appears that there are some differences between the provisions for the Clementson St WWTP and the Crab Creek WWTP SCA. The Corporation will work with the Shire to agree a standard set of provisions that are the same for both treatment plants. Alternately, the Clementson St WWTP SCA can be deleted in view of the imminent closure of the plant, and one set of consolidated SCA provisions can apply only to the Broome North/Crab Creek WWTP.	Request for consistent controls for the SCA's surrounding WWTP.	As per comments above, recommended that SCA for Broome South WWTP is removed. No change therefore required.	No change required.
		LPS7	11. The Water Corporation's Broome Depot site (located at 29 Blackman St) should be included in the "Public Purpose" reserve classification on the scheme maps. The depot site includes active water supply infrastructure. Also, it is noted that the LPS text use class table for the proposed "Light Industry" zone is not conclusive about public utility uses. The Corporation suggests that public utility infrastructure should be a permitted use in this zone.	Request Water Corporation Depot is a Reserve under LPS7.	Support, the Broome Depot site (located at 29 Blackman St) should be included in the "Public Purpose- Water" reservation. In regard to use permissibilities for public infrastructure in the Light Industrial zone, preference would be for appropriate reservation in the scheme.	Uphold. Modify the LPS7 in accordance with the Schedule of Modifications LPS7 to identify Water Corporation Depot as "Public Purpose – Water".
		Local Planning Strategy	12. The proposed relocation of the Broome Prison to an as yet secured location near the Broome North WWTP is noted. Further investigations are required to determine how the new prison can be serviced with water and/or sewerage. The prison should as far as possible be located outside the odour buffer SCA around WWTP. The Corporation will work with the relevant agency and its consultants as required to investigate the water and wastewater demands and planning for the prison.	Broome Prison relocated requires further investigation to determine servicing.	Noted. No change required.	Noted.
21.	Rowe Group (on behalf of owners of Lot 203 Louis St)	Local Planning Strategy	<p>The site is identified as 'Mixed Use' under the Shire's existing 2014 Local Planning Strategy (refer Figure 2) and is located within 'Precinct 2 – Old Broome' (refer Figure 3). Precinct 2 is described as an area that is undergoing a process of change from (primarily) residential land uses to mixed use development. The 'Mixed Use' designation supports office and tourist accommodation uses, along with residential development at a density of R40.</p> <p>Notwithstanding this designation, the 2014 Local Planning Strategy identifies that in certain areas, a lower density of R10 is considered appropriate to preserve the historic character of the area. This area is referred to as the 'Old Broome Special Character Area' ('OBSCA') and the site is located within its boundary.</p> <p>The site is also identified under the existing Strategy as being within the 'Business Tourism Precinct' (refer Figure 4). 'Business Tourism'</p>	<p>Request that Lot 203 Louis Street is included in a planning area within the LPS.</p> <p>Should be within Planning Area A and boundary of Planning Area A needs to be moved to the west.</p>	Regarding Figure 5 and the boundary of Planning Area A it is acknowledged and agreed that the boundary should be amended to align with the boundary of the Old Broome Development Strategy. This will ensure a clearer link between the intent of the LPS planning direction and action.	Refer to previous recommendation for Submission 8 – upheld.

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			<p>refers to forms of development which are focussed on providing services to short-term business visitors and may include hotel, motel, serviced apartment, bed and breakfast and similar uses. One of the key strategies identified under the existing Local Planning Strategy is to support the development of business tourism within Precinct 2.</p> <p>One of the key precinct planning features demonstrated in Figures 2 – 5 is that Herbert Street is consistently used as the reference point demarcating the western boundary of the various precincts under the Local Planning Strategy. That is to say, Herbert Street represents the western edge of Precinct 2; the 'Mixed Use' Zone; the 'Business Tourism Precinct'; and the Old Broome Special Character Area, on how the objectives of 'Precinct 2' could be achieved. That is, how the Precinct could be redeveloped as a mixed use area with an open form of development that recognises the historic character of the area. Under the OBDS, the site is located in Area D (refer Figure 5) which is identified as an area suitable for mixed use, tourism, and residential land uses. Preferred land uses include Grouped Dwellings, Multiple Dwellings, Holiday Homes, Hotel, Tourist Development, Cinema/Theatres, Club Premises, Motel, Health Club, and Market.</p> <p>The land use objectives for Area D include supporting Scheme Amendments to up-code existing 'Residential' zoned land to a maximum density of R40 if it can be demonstrated that such a rezoning will not adversely affect the existing character of the area. This objective, however, does not apply to the OBSCA where the objective is to retain the existing R10 density code.</p> <p>Under the draft Strategy, the site is identified as 'Existing Urban Footprint' on the Strategy Map and is no longer included within a specific Precinct. Rather, the draft Strategy introduces new 'Planning Areas' wherein future structure planning is intended to be undertaken on a precinct level basis.</p> <p>The site is not included within any of the identified Planning Areas under the draft Strategy but rather sits directly in-between two Planning Areas being Planning Area A (Regional Centre Investigation) and Planning Area N (Urban renewal) Area (refer Figure 6). The site's exclusion from a specific Planning Area is a source of concern to our Client.</p> <p>The Community Engagement Summary released with the draft Strategy and draft LPS7 contains a map summarising key issues and</p>			

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			<p>opportunities identified through the engagement process (refer Figure 7). The map identifies the site as an area wherein the objective is to limit urban sprawl and activate the existing precinct. Importantly, it identifies Walcott Street (immediately west of the site) as the western boundary of the precinct. This further supports the argument that the western boundary of Planning Area A does not extend far enough west.</p> <p><b>Note: All references to drawings can be reviewed in the submission which appears as a separate attachment.</b></p>			
		Local Planning Strategy	<p>1. Under the draft Strategy, the 'Mixed Use' Zone has been reduced in size, confined to the area east of Robinson Street and relabelled as 'Activity Centre – Regional Investigation Area', forming part of proposed Planning Area A. This is inconsistent with the OBDS and the inconsistency is not addressed. Table 16 under Section 3.2 of the draft Strategy identifies a number of 'Actions' relating to Planning Area A. These 'Actions' include: "Review Chinatown and Old Broome Development Strategies and prepare combined Precinct Structure Plan (in accordance with SPP 7.2)"</p> <p>The boundary of Planning Area A does not match the boundary of the OBDS (refer Figures 5 and 6).</p> <p>The Shire has indicated that the boundaries of the Planning Areas are fluid and may change when precinct structure planning commences. Whilst this is understood, given one of the key actions for Planning Area A is to review the OBDS and prepare a combined precinct structure plan, it seems appropriate, if not critical, that the boundary of Planning Area A includes the OBDS Area in its entirety.</p> <p>The draft Strategy defines the 'Vision' for 'Old Broome' to "become a vibrant, accessible and equitable mixed-use precinct. One that meets the needs of residents and visitors through development that is respectful of the rich cultural heritage and natural environment". This 'Vision' is not reflected in the draft Strategy because 'Old Broome' is partially excluded from Planning Area A.</p> <p>One of our Client's key concerns with the existing planning framework is that it does not encourage redevelopment within 'Old Broome' despite the fact that the existing Local Planning Strategy, the OBDS and the draft Strategy all advocate urban renewal responses in 'Old Broome'. The draft Strategy acknowledges that there is a significant amount of land zoned for 'Residential' and</p>	<p>Planning Area A boundaries in draft LPS should be reviewed and incorporate all of OBDS footprint.</p> <p>Do not support the R10 residential density being maintained in the OBSCA as other means to control built form.</p> <p>Recommended that Herbert Street be the western boundary of Planning Area A to enable PSP to guide appropriate built form.</p>	<p>One of the primary roles of the LPS is to assist with determining where future detailed planning should occur. Reviewing the Old Broome Development Strategy and replacing it in the Shire's planning framework is a major planning project. It should be undertaken as a separate process with specific and targeted engagement undertaken. This process will be the mechanism for any reconsideration of prevailing density codes and zones.</p> <p>It is acknowledged that this should be made clearer in the LPS and a new notation is recommended to be added to Figure 6: Planning Area A - Precinct Structure Planning Guidance.</p>	<p>Upheld - add a new notation to Figure 6: Planning Area A - Precinct Structure Planning Guidance which identifies a need to undertake a character study of Old Broome which includes the opportunity for potential review of existing planning provisions.</p>

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			<p>identified for 'Future Residential' and that a key challenge associated with this is that there is a desire to limit urban sprawl by activating the existing precincts of Broome. The Shire's Strategic Community Plan 2021-2031 and Broome Growth Plan similarly identify a need to support greater activation of existing precincts within the Shire, including 'Old Broome'.</p> <p>Both the existing and proposed planning frameworks limit residential density in 'Old Broome' to R10, restrict land use permissibility and provide no meaningful guidance as to how the area can be successfully renewed. The Shire previously advised that it prepare design guidelines to assist landowners in the area develop their properties however these guidelines were never prepared. Rather, the Shire adopted 'Local Planning Policy No. 5.16 - Old Broome Development Strategy' which essentially reiterates the objectives of the OBDS but does not address built form and design. One of the key actions for Planning Area A is now to replace Local Planning Policy No. 5.16 with a precinct structure plan.</p> <p>One of the objectives of the OBSCA has been to retain the existing R10 density code allocated to the area under the operative local planning scheme. Our Client has consistently raised concerns with this objective, noting in various submissions to the Shire on the (then) draft Local Planning Strategy and (then) draft LPS6 in September 2013 and more recently, in correspondence to the Shire dated May 2021.</p> <p>Whilst it is appreciated that the Shire wishes to preserve the open character of the area, restricting the residential density in the OBSCA to R10 is not the only way or, indeed, the most appropriate way to preserve the character of an area. The concern with this 'leave as is' approach to planning for the OBSCA is that the area will stagnate and continue to decline as investment is redirected to other parts of the Shire. There is a risk that ultimately the character of the area will decline as there is limited incentive for new investment.</p> <p>We believe there is a solution that enables redevelopment to occur in the OBSCA that is respectful of its character. Enabling increased residential density but, perhaps, imposing greater built form control by way of setbacks, building height, landscaping, and building style/materials, is one option to consider. The most</p>			

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			<p>appropriate mechanism by which to explore these opportunities is through a precinct structure plan. Including the site and the remainder of the OBSCA in Planning Area A would facilitate this process.</p> <p>On this basis, it is requested that the western boundary of Planning Area A (Regional Centre Investigation) is extended westwards to Herbert Street, ensuring no 'missing middle' between the two adjoining Planning Areas.</p> <p>Herbert Street is a logical boundary for the Planning Area given it is consistent with:</p> <ul style="list-style-type: none"> <li>- the boundary of the Old Broome Development Strategy Area (refer Figure 7);</li> <li>- the boundary of the Old Broome Special Character Area (refer Figure 7);</li> <li>- the boundary of 'Precinct 2 – Old Broome' under the current Local Planning Strategy (refer Figure 4);</li> <li>- the boundary of the 'Business Tourism' Precinct under the current Local Planning Strategy (refer Figure 5).</li> </ul> <p>Herbert Street has consistently been used as the reference point demarcating the western boundary of the various precincts listed above and it is appropriate that this boundary be retained.</p>			
		LPS7	<p>2. Existing and Proposed Zoning:</p> <p>The site is currently zoned 'Residential' under the provisions of the Shire's existing LPS6 and is allocated a residential density coding of R10 on the Scheme Maps. The land surrounding the site is predominantly zoned 'Residential', with 'Mixed Use' to the east and several 'Public Purpose' reserves to the north. The residential densities assigned to the 'Mixed Use' and 'Residential' Zones in the immediate area (within 400m of the site) vary significantly from R10 to R50 (refer Figure 1).</p> <p>Under draft LPS7, the site is proposed to retain its 'Residential' zoning and R10 density coding.</p> <p>Our Client would like to be able to redevelop the site, but the proposed planning framework imposes significant impediments to enable any meaning redevelopment to occur. Whilst our Client's support retention of the site's</p>	<p>Support 'Residential' zoning but support greater than R10 density.</p> <p>Acknowledge that increase density in LPS7 is unlikely to be supported at this point in time; therefore request that the site be included in Planning Area A under the draft Strategy and that opportunities to increase the density be explored as part of</p>	<p>Noted the support for the proposed retention of the Residential zoning for the subject land (included landholding details) however any increase in residential densities needs to be undertaken as a comprehensive precinct-based approach for Old Broome noting prior recent studies which have not supported an increase in residential densities due to a number of constraints. It is premature to be dealt with under this (increased in residential densities) as part of the Scheme Review.</p> <p>It is considered premature for the land to be up coded to a higher residential coding as this modification represents an ad hoc "spot" rezoning in the absence of comprehensive planning. Furthermore, the proposal would likely warrant public advertising and stakeholder engagement which cannot be facilitated unless the Scheme was re-advertised resulting in delay to the gazettal of LPS7.</p>	Dismissed - no modification to draft LPS7 required.

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			<p>'Residential' zoning, they do not support retention of the site's R10 density allocation and request a modification to increase the density allocation.</p> <p>It is appreciated that further planning needs to be undertaken to explore opportunities for redevelopment in 'Old Broome' and on this basis, it is acknowledged that modifying the residential coding allocated to the site under draft LPS7 is unlikely to be supported at this point in time. On this basis we formally request that the site be included in Planning Area A under the draft Strategy and that opportunities to increase the density allocation in 'Old Broome' be explored as part of the precinct structure planning process. The aim is that an increase in density coding on the site is accommodated in the next scheme review process.</p>	the precinct structure planning process.		
22.	Nyamba Buru Yawuru  General	Local Planning Strategy and LPS7	<p>1. NBY is owned by the Yawuru Native Title Holders Aboriginal Corporation RNTBC which holds native title for and on behalf of Yawuru people and has cultural authority over Yawuru country. NBY makes this submission on behalf of itself and the Yawuru Native Title Holders Aboriginal Corporation RNTBC.</p> <p>We acknowledge the Shire and its consultants for including sections relating to Aboriginal heritage (and NBY in particular) within the LPS. You will note, however, that the central theme of our submission is that the draft LPS/LPS7 do not go far enough to:</p> <ol style="list-style-type: none"> <li>i. Fully define the issues and opportunities that impact on Broome's Yawuru Community</li> <li>ii. Acknowledge Yawuru's significance to Broome's history, culture and identity</li> <li>iii. Capitalise on the important role that Yawuru can play in planning and land management</li> <li>iv. Recognise NBY as one of the key landowners within the Shire both in terms of land area and the strategic location of its land</li> <li>v. Identify specific actions to capitalise on opportunities and address issues impacting on Yawuru People</li> </ol> <p>This is illustrated by the following omissions from the draft LPS/LPS7:</p> <ul style="list-style-type: none"> <li>• Reference to the Yawuru Global Indigenous Land Use Agreements (ILUAs)</li> <li>• A summary of the related obligations of local/State government and how these are reflected in proposed planning outcomes</li> </ul>	<p>Both LPS and LPS7 do not go far enough to:</p> <p>Fully define the issues and opportunities that impact on Broome's Yawuru Community</p> <p>Acknowledge Yawuru's significance to Broome's history, culture and identity</p> <p>Capitalise on the important role that Yawuru can play in planning and land management</p> <p>Recognise NBY as one of the key landowners within the Shire both in terms of land area and the strategic location of its land</p>	<p>The individual requests to change references in the LPS and LPS7 are responded to in the comments below.</p> <p>Where relevant support of amendments to the LPS or LPS7 to address the matters raised are supported. In some instances requests to perform the modifications are not supported as they are outside the scope and role of the LPS or LPS7 to perform. Refer to detailed comments below.</p>	Refer to comments below, modifications proposed to address submission.

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			<ul style="list-style-type: none"> <li>• Identification of the health, education and housing challenges affecting First Nations People in Broome</li> <li>• Specific actions and responsibilities to address these issues – where appropriate – via planning actions</li> </ul> <p>These omissions mean that the planning framework for Broome would (if the draft LPS/LPS7 are adopted in their current form):</p> <ul style="list-style-type: none"> <li>• Have diminished relevance to the Yawuru Community</li> <li>• Fail to fully realise the important contributions Yawuru People can make to planning outcomes</li> <li>• Fail to fully represent the needs and aspirations of a significant community member and landowner within the Shire</li> <li>• Make a sub-optimal contribution to the implementation of the ILUAs</li> <li>• Make a limited contribution to closing the gap between life outcomes for First Nations and non-First Nations Australians</li> </ul> <p>We believe it is the responsibility of all sectors, industries, professions and frameworks to actively and deeply consider where they can contribute to the principles of reconciliation and closing the gap. If left unaddressed, the matters outlined in this letter would represent a missed opportunity to do just that – not only for the Yawuru Community in particular, but for planning frameworks more broadly. On this basis, while NBY supports the preparation of the draft LPS/LPS7 and many of their specific land-use designations, NBY’s support is subject to the modifications recommended in this letter. To assist the Shire’s consideration of our comments and observations, we have structured our response in the following way:</p> <p><b>About Nyamba Buru Yawuru</b> – a description of NBY and its purpose, and how this purpose relates to land planning in the Shire of Broome</p> <p><b>The Indigenous Land Use Agreements</b> – these are highly significant documents that impact directly upon land planning outcomes within the Shire. This section summarises the purpose of the ILUAs, why they are so important and how/why they must be reflected in the planning framework</p> <p><b>Regional Context</b> – an overview of the opportunities and issues affecting Aboriginal People in the Shire of Broome</p> <p><b>How Planning can Make a Difference</b> – in the spirit of working collaboratively with the Shire and the planning industry more generally, we explain how the planning framework is an important and appropriate forum to address issues of importance to Aboriginal People</p> <p><b>Site-Specific Comments</b> – we have reconciled draft LPS/LPS7 outcomes against NBY’s landholdings – as well as NBY’s aims, intentions and management measures for its land</p>	<p>Identify specific actions to capitalise on opportunities and address issues impacting on Yawuru People</p>		

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			<p><b>Table 2: draft LPS Comments</b> – this <i>attached</i> table includes a matrix outlining NBY’s comments on specific parts of the draft LPS. We have included a rationale for the comments and, where relevant, suggested modifications</p> <p><b>Table 3: draft LPS7 Comments</b> – this <i>attached</i> table includes a matrix outlining NBY’s comments on specific parts of draft LPS7. We have included a rationale for the comments and, where relevant, suggested modifications.</p> <p><b>(see attached submission and table – below)</b></p> <p>Local planning frameworks should capture, reflect and express local conditions, context and needs. As such, the Shire’s draft LPS7/LPS are an appropriate opportunity to embrace Yawuru traditional cultural values and practices in planning for the Shire. These practices and values promote a quadruple bottom lined approach that is centred on the Yawuru philosophy of ‘mabu liyan’ or ‘good well-being.’</p> <p>Incorporating mabu liyan into the local framework can be facilitated by some simple actions that all sit comfortably within the established planning system and accepted suite of planning tools. Examples include:</p> <ul style="list-style-type: none"> <li>• Identify and discuss issues affecting the Yawuru Community in the LPS</li> <li>• Present a pathway - identify where further study/reporting is needed to better define issues</li> <li>• But where possible, include specific actions aimed at addressing these issues</li> <li>• Include specific context and actions aimed at implementing the ILUAs, closing the gap and reconciliation more broadly</li> <li>• Identify and capitalise on opportunities - respect and utilise Yawuru’s knowledge and perspectives through a combination of mandated and best-practice engagement</li> <li>• Develop local planning policies relating to topics such as: character and place, public art, built form and landscape, and expectations/opportunities and benefits of liaising with NBY on planning projects</li> </ul> <p>These actions are discussed in further detail in Tables 2 and 3. Combined, these simple actions can have significant impact and achieve good planning outcomes by fostering greater participation, respect, collaboration and inclusiveness in the planning process.</p> <p>We take this opportunity to emphasise that NBY is a major landowner within the Shire of Broome.</p>			

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			<p>At a qualitative level this means that NBY can play a critical role in advancing local character, heritage and culture etc. (refer to commentary at Tables 2 and 3).</p> <p>At a quantitative level, over 290,000ha of land within the Shire is under the ownership/ management of NBY in a variety of contexts – urban, town centre, pastoral, remote settlement, infill, and cultural and environmental land.</p> <p>Put simply, there is unlikely to be another landowner impacted so broadly and deeply by land use planning decisions or with the ability to work with the Shire to unlock its strategic planning aims.</p>			
	Local Planning Strategy and LPS7	<p>Urbis has worked with NBY to assess each of its landholdings against its aspirations and ILUA commitments and reconciled this against draft LPS/LPS7 outcomes. In most instances there is alignment, however, we highlight inconsistencies with respect to the landholdings identified in Table 1 below – these should be addressed in the final versions of the documents.</p> <p><b>Table 1 – Summary of Misalignment: draft LPS/LPS7 and NBY Aspirations/ILUA Commitments</b></p>				
	Site specific - comments					
		Site / LPS6 Zoning	Draft LPS/LPS7	NBY Comment	NBY Recommendation	Shire Officer Recommendation
		Lots 586 & 587 Broome Road	Existing Industry/Light Industry	We note that the State is currently seeking to rezone Lot 586 to enable the development of a new prison	We note that the State is currently seeking to rezone Lot 586 to enable the development of a new prison	See comments in relation to Department of Justice and Finance submission above. Request to rezone Lot 586 to Public Purpose is not supported.
		LPS6 Zoning Industry	General Industry			
		Lot 555 Crab Creek Road (Wattle Downs)	Rural/ Planning Area B - Rural Residential Investigation	In the future NBY might seek to develop this land for Rural Residential purposes but this would be for on-country living for the Yawuru community only	Acknowledge and reflect in the LPS.	Lot 555 is shown as Planning Area B in Figure 4 of the LPS which identified the area as the 'Crab Creek Road rural investigation area'.  The Strategy already recognises the Strategic intent of the land as possible Rural Residential use. No changed is deemed required in this regard.
		LPS6 Zoning General Agriculture	Rural			
		Lot 388 Kavite Road	Existing Environmental/Cult ural Conservation / Planning Area K – Industrial Investigation	NBY seeks to actively investigate this land for future industrial purposes  The draft LPS supports the long- term use proposed by NBY but provides insufficient certainty	Designate the land as Development zone in LPS7 and/or an Investigation Area in the LPS to more fully recognise and enable the potential and intentions for this land  Such designation does not commit the Shire to future rezoning or structure plan outcomes, however it would provide important context and impetus for future investigations	The subject land is identified as Planning Area K – 'Industrial Investigation' in Figure 5 of the LPS. The LPS therefore already reflects strategic intention to investigate land for industrial purposes.  It is considered premature and contrary to proper and orderly planning for the subject land to be rezoned from Environmental
		LPS6 Zoning Environment al Conservatio n and				Noted. No modification to draft LPS7 required.

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		Cultural Corridor	Environmental Conservation and Cultural Corridor		Conservation and Cultural Corridor to Industrial Development zone, in LPS7 at this time, due to the further investigation required.		
		Lots 400 and 401 Gantheaume Point Road  LPS6 Zoning – Environment al Conservatio n and Cultural Corridor & Developmen t	Future Tourism / Planning Area L – Gantheaume Point – Tourism Investigation  Environmental Conservation and Cultural Corridor (Lot 400) & Development (Lot 401)	Neither Lot 400 nor 401 are required for cultural purposes, however land to the immediate south forms part of the Yawuru Conservation Estate along with the portion of Lot 1848 on the western side of Kavite Road. In this location, there are areas where the Gantheaume Point Road pavement is out of alignment with the road reserve and intrudes into adjoining land  This locality is of high significance to NBY – it has several major landholdings with a combination of cultural, conservation, and development purposes	The LPS should reference the Yawuru Conversation Estate and implement appropriate reserve types/acknowledge management commitments  The LPS should recognise that NBY must be central to any master planning that occurs in the locality  Designate both Lot 400 and 401 as Development zone  LPS should include a timeframe for the master planning of the locality to provide greater certainty to landowners	Lot 400 and Lot 401 is shown as Planning Area L in the LPS which is the 'Gantheaume Point Tourism Investigation Area'.  The LPS identifies that opportunities for tourism development can be explored and acknowledges the consideration for future structure planning and/ rezoning.  The progress of structure planning and rezoning would be landowner driven and therefore the LPS does not provide recommendations on timing as this is at the discretion of the landowner.  Reference to master planning related to Planning Area M which is the Gantheaume Point Master Planning which covers the turf club and immediately surrounding areas. The underlying land designation of this area in the LPS reflects the location of the Conservation Estate. Yawuru have been consulted with on the preparation of the Master Plan.	Noted. No modification to draft LPS7 required.
		Lot 300 Port Drive  LPS6 Zoning Coastal	Future Tourism – Planning Area J – Port Drive Tourism Investigation  Local Scheme Reserve - Foreshore	NBY proposes to investigate this land for Tourism development subject to further study. The site is likely to contain Aboriginal Heritage sites for example.	Zone the land as Tourism and specify that future land use and development is subject to further investigation / technical reporting.	The LPS identifies this area as Future Tourism and falls within Planning Area J – Port Drive Tourism Investigation. The LPS therefore reflects the strategic intent of NBY's to investigate this land for tourism development.  It is considered premature and contrary to proper and orderly planning for the subject land to be rezoned from Foreshore Reserve to Tourism zone in LPS7, at this time, due to the further investigation required.	Noted. No modification to draft LPS No.7 required.

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		<p>Lots 149 &amp; 150 Haas Street, 144, 145, 146, 1219 &amp; 3000 Carnarvon Street</p> <p>LPS6 Zoning Environmental Conservation and Cultural Corridor &amp; Development</p> <p>Mixed Use</p>	<p>Activity Centre – Regional Investigation - Planning Area A</p> <p>Environmental Conservation and Cultural Corridor &amp; Development</p> <p>Mixed Use (R40)</p>	<p>This entire area has been identified as an Aboriginal Site</p> <p>NBY will engage with the State regarding a management plan for the area and an appropriate form of land tenure to protect and manage cultural values.</p> <p>There is potential for culturally sympathetic development in areas of prior disturbance.</p>	<p>LPS to acknowledge that when a Precinct Structure Plan is undertaken, NBY must be central to the development of the plan across all steps</p>	<p>The preparation of a Precinct Structure Plan (PSP) will be undertaken consistent with the SPP 7.2 – Precinct Design and the WAPC Precinct Design Guidelines.</p> <p>It is anticipated that a Community Engagement Plan will be prepared early in the PSP process which will identify key stakeholders and how they will be engaged with through the preparation of PSP. This will include NBY as a key landowner in the precincts.</p> <p>It is beyond the role of the LPS to specifically identify the stakeholders to be engaged with in the preparation of a PSP and furthermore this is captured in the existing State framework in this regard.</p>	<p>Noted.</p> <p>No modification to draft LPS or LPS7 required.</p>

LPS No. 7	Table 3: Draft LPS7 Review- General				
	Reference Draft LPS No 7	Submitter Comments	Officer Comment	Recommendation	
Text Changes	<p>1 Clause 9. Aims of Scheme</p> <p><i>a. People –</i></p> <p>i. Promote a safe, healthy and active community;</p> <p>ii. Support access to suitable and affordable housing and accommodation to meet all community needs;</p> <p>iii. Ensure an inclusive community that celebrates culture, equality, and diversity; and</p>	<p>The aims of LPS7 with respect to People are supported but point iv could be expanded to reflect that the aim should capture development (not just land use) and that <i>all</i> land use and development should – where applicable – be mindful of Aboriginal heritage.</p> <p>Embedding this as part of the aims in the early part of the LPS7 help Aboriginal heritage to be an early consideration in planning and creates context/expectations for how proponents and decision makers approach planning, design and decisions.</p> <p>Propose that cl. 9 (a) (iv) be reworded as follows:</p> <p>(iv) Provide for land uses <b>and development</b> associated with <b>and sensitive to</b> Aboriginal heritage, traditional law and culture.</p>	<p>The intent behind inclusion of this aim within the Scheme is to outline that land uses associated with Aboriginal heritage, traditional law and culture is one of the aims of the Scheme (specifically that the Scheme will in no way limit these activities). This is further clarified in Schedule A (Supplemental provisions to the deemed provisions) – whereby the Scheme outlines that the carrying out of any activities associated with traditional use and law (which does not involve construction of permanent buildings) is exempt from development approval.</p> <p>There is an existing aim in the Scheme (clause 9 b. viii.) which is to ‘ensure the preservation of Aboriginal and non-aboriginal heritage and culturally-significant areas’.</p>	<p>Noted. No modification required to draft LPS7.</p>	

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			iv. Provide for land uses associated with Aboriginal heritage, traditional law and culture.		Based on the above, it is not recommended that the Scheme aim is amended.	
		2	Clause 9. Aims of Scheme  1. <i>Place</i> –  viii) Ensure the preservation of Aboriginal and non-aboriginal heritage and culturally-significant areas.	Clause viii is noted as a specific reference to Aboriginal culture and heritage in the aims of LPS7. This is important because all planning decisions must be consistent with these aims.	Noted.	Noted. No modification required to draft LPS7.
		3	cl. 14 Local Reserves Table 1 – Reserve Objectives – Foreshore Foreshore: To set aside areas for foreshore reserved abutting a body of water or water course, particularly those required pursuant to State Planning Policy 2.6 State Coastal Planning Policy and any other Commission policy.	The submitter considers that this provision of draft LPS7 influences what public reserves under LPS7 can be used for and reference to tourism is presently missing from the objectives relating to Foreshore reserve.  Tourism uses should be provided for in the foreshore objective consistent with the draft LPS No. 7 aims and objectives and provide certainty for contemplated commercial tourist operations in Foreshore areas (where appropriate).  Propose that cl. 14 Local Reserves Table 1 – Reserve Objectives – Foreshore be reworded as follows:  To provide for the protection of natural values, a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment, <b>tourism</b> and/or uses that are compatible with and/ or support the amenity of the reservation.	LPS6 currently identifies the Foreshore Reserves as 'Coastal Reserve' and has the following aims and objectives relative to tourist development:  'Encourage Aboriginal cultural tourism, eco-tourism and recreation activities that are compatible with conservation and Aboriginal cultural heritage values.'  The foreshore reserve does cover large extents of land in the Shire which could interact with locations for cultural tourism and eco-tourism. It is recommended that the objectives from LPS6 are carried forward to LPS7  The submission is therefore upheld in part, with the following modification recommended:  • <b>To provide for a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment, Aboriginal cultural tourism, eco-tourism and/or uses that are compatible with and/ or support the amenity of the reservation.</b>	Upheld in part - modify the LPS7 Scheme in accordance with the Schedule of Modifications LPS7 to amend the Foreshore Reserve objective to read as follows:  • <b>To provide for a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment, Aboriginal cultural tourism, eco-tourism and/or uses that are compatible with and/ or support the amenity of the reservation.</b>

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		4	<p>Site Specific</p> <p>Minyirr Buru Conservation Park</p> <p>Amend draft LPS7 maps so that all land in the Minyirr Buru Conservation Park is zoned Environmental Conservation and Cultural Corridor.</p> <p>Amend the scheme text accordingly including cl. 14 Local Reserves Table 1 – Reserve Objectives – Foreshore</p> <p>To make direct reference to capture environmental and cultural heritage objectives of the Conservation Estate.</p>	<p>The submitter contends that the Shire is in joint management with Yawuru PBC in reserves that form the Minyirr Buru Conservation Park (refer to the attached plan of the Conservation Estate).</p> <p>A joint management plan sets out key targets and management strategies and the joint partners are assisted in the implementation of the plan by DBCA under an assistance agreement for the on- ground works.</p> <p>These areas include those shown as Foreshore reserve and for Environmental Conservation and Cultural Corridors reserve in the draft LPS7 maps.</p> <p>The objectives of the Foreshore reserve do not sufficiently the capture environmental and cultural heritage objectives of the Conservation Estate.</p> <p>These areas are subject to conservation agreements that sit outside the planning process. There are also other agreements and approvals (relating to tenure for example) that are required as part of any land use or development proposal. As such, irrespective of any zoning or approval, development activity would not automatically follow.</p> <p>Amend draft LPS7 maps so that all land in the Minyirr Buru Conservation Park is zoned Environmental Conservation and Cultural Corridor.</p> <p>Update both draft LPS /LPS7 to state that all use and development of land within the Minyirr Buru Conservation Park must reflect the conservation agreements and highlight that the emphasis needs to be the protection of natural values.</p> <p>Update both draft LPS/LPS7 to require that land use and development proposals within and adjacent to the Conservation Park must reflect context and character including with respect to built form considerations such as building height.</p>	<p>Inclusion of all of the reserves that form part of the Minyirr Buru Conservation Estate (including those reserves that abut the foreshore) would mean that the objectives of the reserve would need to be considered for any development proposal. For land within the Environmental Conservation and Cultural Corridors one of the objectives includes 'to identify areas with biodiversity, conservation, and cultural values, and to protect those areas from development and subdivision'.</p> <p>The objectives of the Environmental Conservation and Cultural Corridor reserve provide greater emphasis on protection (thereby limiting) development compared with the Foreshore reservation that provide for a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment, whilst providing for protection of natural values.</p> <p>The objectives of the Environmental Conservation and Cultural Corridor reserves, at times, may not align with the intent of the Joint Management Plan adopted for the Conservation Estates (for example Base Camp, recreational improvements at Gantheaume which are all located within the Conservation Estate) and also does not align with the comment above, seeking that the tourist reference in the Foreshore reserve be maintained.</p> <p>Based on the above, it is not recommended that changes to the reservation are performed under LPS7.</p> <p>It is noted that Lot 614 Buckleys Road is zoned Rural Residential and this forms part of the Conservation Estate. This should be an Environmental Conservation and Cultural Corridor reserve.</p> <p>Comments on LPS changes as outlined in the Attachment 1.</p>	<p>Upheld in part - change zoning of Lot 614 Buckley's Road from Rural Residential to Environmental Conservation and Cultural Corridor reserve.</p>
		5	<p>Part 3 Zone cl.16 (Table 2) Zones Objectives - Cultural and Natural Resource use</p>	<p>The submitter supports and notes the reference to preservation of significant sites but considers that this should be inherent in all zones.</p>	<p>The Shire notes and concurs that the preservation of significant areas applies throughout the scheme area and that that these matters can be dealt with under the relevant legislation. However, the inclusion of direct reference in the</p>	<p>Noted, no modification required to draft LPS7.</p>

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			<ol style="list-style-type: none"> <li>1. Provide for development associated with the extraction of mineral and natural resources.</li> <li>2. Ensure the preservation of Aboriginal heritage and culturally significant areas.</li> <li>3. Provide for the conservation of significant landscape and environmental areas and values. Allow for low impact tourism development including limited tourist accommodation and camping areas.</li> <li>4. Allow land uses associated with Aboriginal heritage, traditional law and culture.</li> </ol>	<p>NBY advises the Shire of its expectation that the preservation of significant areas applies to all zones.</p>	<p>objectives of the - Cultural and Natural Resource use zone reflects the intent of this particular zone.</p>	
		6	<p>Part 3 c.17 (Table 3) Zoning Table – Land Use permissibility’s for the Service Commercial zone, in relation to the following land uses which are currently X (prohibited) uses:</p> <ul style="list-style-type: none"> <li>• Amusement parlour</li> <li>• Art gallery</li> <li>• Betting agency</li> <li>• Brewery</li> <li>• Child care premises</li> <li>• Consulting rooms</li> <li>• Convenience store</li> <li>• Medical centre</li> <li>• Restaurant/café</li> </ul>	<p>The submitter contends that there are a range of uses that are presently proposed to be prohibited in the Service Commercial zone which should be considered for approval on a discretionary basis provided they do not compromise the objectives of the zone. The uses are potentially appropriate for and consistent with a Service Commercial setting and include:</p> <ul style="list-style-type: none"> <li>• Amusement parlour</li> <li>• Art gallery</li> <li>• Betting agency</li> <li>• Brewery</li> <li>• Child care premises</li> <li>• Consulting rooms</li> <li>• Convenience store</li> <li>• Medical centre</li> <li>• Restaurant/café</li> </ul> <p>Providing for these on a discretionary basis would allow the Shire to retain control of whether these uses should proceed, on merits. This would add to the flexibility provided for by LPS7 and is consistent with the Shire’s objectives relating to employment and economy.</p>	<p>The objectives of the Service Commercial zone are:</p> <ul style="list-style-type: none"> <li>• <i>To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</i></li> <li>• <i>To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</i></li> </ul> <p>The existing permitted and discretionary land uses in the Service Commercial zone are deemed appropriate to achieve the objectives of the Scheme. The type of land uses mentioned should be encouraged to be undertaken from other commercial zones in the Shire. Therefore, submission not supported.</p>	<p>Noted, no modification required to draft LPS7.</p>
		6	<p>SCHEDULE 4: Additional site and development requirements that apply to the scheme area</p>	<p>The submitter contends that NBY and the Shire are working together to redefine Broome character area to better include Yawuru heritage in how people understand and interpret that character.</p>	<p>No specific recommendations are made relative to LPS7. See comment relative to LPS in separate Attachment 1.</p>	<p>Noted, no modification to the draft LPS7.</p>

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#	Name/ Organisati on and address	Strategy or draft Scheme 7	Submission	Summary of Submission	Local Government Comment	Local Government Recommendation
			cl. 5. All Zones _ Inappropriate or incongruous development	<p>LPS/LPS7 is an opportunity to embed Yawuru heritage as part of Broome's character through the planning framework more overtly as it is currently under-represented.</p> <p>A local planning policy should be included as an action in the accompanying LPS relating to Yawuru heritage and providing guidance on how it can be reflected in design outcomes.</p>		
		7	<p>SCHEDULE 4: Additional site and development requirements that apply to the scheme area</p> <p>6. All Zones</p> <p>Landscaping and tree retention</p> <p>1) When considering an application, the local government is to determine whether any tree has landscape significance and should be retained.</p> <p>2) For the purpose of retaining significant tree the local government may:</p> <p>a) impose a condition on a development approval requiring trees to be retained;</p> <p>b) request the Commission to impose a subdivision condition for the retention of trees and/or for additional trees to be planted on the site;</p> <p>c) impose a condition requiring a modification of the development to ensure retention of significant trees.</p> <p>3) A landscaping plan which details the retention of existing tree/s and proposed landscaping on site and within</p>	<p>Whist the submitter supports the intent of this provision it considers there is insufficient accompanying guidance/definition of what constitutes landscape significance, risking uncertainty for applicants.</p> <p>Delete this provision and replace it with a local planning policy (include as an LPS action) relating to tree retention, which sits outside of LPS7 (to provide for greater flexibility) and properly defines landscape significance and how to determine it.</p>	<p>The Shire notes the points raised and will give further consideration to the preparation of an LPP related to landscaping and tree retention. However, in the absence of a LPP being prepared it is considered appropriate that this provision be retained in draft LPS7.</p>	<p>Dismiss. No modification to the draft LPS7.</p>

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			the abutting road reserve may be required as a condition of development approval for development.			
		8	<p>SCHEDULE 4: Additional site and development requirements that apply to the scheme area</p> <p>CI.</p> <p>Regional Centre Zone District Centre Zone, Local Centre Zone Mixed Use Zone</p> <p>References are made to development control via relevant design guidelines.</p>	<p>The submitter contends that planning controls may not be in the form of local development plans. For example, precinct development plans and precinct structure plans are common and likely development control mechanisms. The current wording potentially limits the way development standards can be defined and applied.</p> <p>The specific reference to design guidelines should be deleted.</p>	Design Guidelines have been prepared and adopted for Chinatown (the Regional Centre zone). Reference to this in the Scheme text is considered appropriate.	No change recommended.
		9	<p>SCHEDULE 4: Additional site and development requirements that apply to the scheme area</p> <p>SCHEDULE 4: cl. 17 Tourism Zone</p> <p>Subdivision</p> <p>(4) The local government will not support subdivision within the Tourism zone to create lots less than 1 hectare in area, unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.</p> <p>(5) The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where</p> <p>The provision relating to minimum lot size should be deleted and replaced with a local planning policy (include as an LPS action) that provides greater context, explanation and flexibility for subdivision in the Tourism zone.</p>	<p>The submitter considers that there is no clear rationale for the lot size restriction. Tourism zoned land owned by NBY will likely be subject to structure planning or a local development plan and this should define an appropriate lot size based on local context, character and conditions. This provides sufficient surety for decision makers.</p> <p>On this basis, the provision relating to minimum lot size should be deleted and replaced with a local planning policy (include as an LPS action) that provides greater context, explanation and flexibility for subdivision in the Tourism zone.</p>	<p>The 1ha site area is an existing site and development control in LPS6 and recommended to be maintained in LPS7.</p> <p>The PSP can review the site area requirements in further detail.</p>	No change recommended.

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			<p>the local government considers the proposed subdivision:</p> <p>a) is a minor boundary adjustment.</p> <p>b) does not propose the creation of new lots; and</p> <p>c) the new lots are considered to be consistent with the subdivision pattern in the locality.</p>			
		10	<p>SCHEDULE 6 – AUSTRALIAN NOISE EXPOSURE FORECAST CONTOURS</p> <p>1. Table (a) Building Site Acceptability Based on ANEF Zones</p> <p>2. Clause 5.</p> <p>5. In no case should new development take place in greenfield sites deemed unacceptable because such development may impact airport operations. to the safe movement of aircraft and that CASA is the determining authority</p> <p>Table (b) Indoor Design Sound Levels</p>	<p>1. While the general intent to apply planning control measures associated with future development within the vicinity of the Broome Airport is supported, the inclusion of State Planning Policy provisions in LPS7 is not supported for the following reasons:</p> <p>i) It represents an unnecessary duplication within the planning framework.</p> <p>ii) the purpose of a planning policy is to inform a decision-maker and they are not statutory documents to be applied inflexibly. Embedding the provisions of a planning policy within a (statutory) local planning scheme has the potential to diminish the flexible application of the planning policy.</p> <p>iii) if the provisions of SPP5.1 are varied over time, a scheme amendment will be required to ensure the local planning scheme accurately reflects the new policy provisions. This adds an unnecessary layer to the planning framework, but it also risks incompatibility between the future LPS7 and SPP5.1 if any future variance is not identified.</p> <p>On this basis, the content of Schedule 6 should be removed from draft LPS7 and incorporated into a local planning policy (include as an LPS action) that would provide centralised guidance on airport-related planning controls, can easily be updated over time as required and provides for flexible application.</p> <p>2. If this provision is not supported. It affords a non-government third party the ability to strongly influence</p>	<p>There is no SPP that applies to regional airport (currently for Perth Airport and Jandakot Airport). Therefore inclusion of the noise controls in LPS7 (which exist in LPS6) are not deemed a duplication.</p> <p>1. Upheld, modify Schedule 6 Clause 5 as follows:</p> <p><i>In no case should new development take place in greenfield sites deemed unacceptable because such development may impact airport operations <b>as it relates to the safe movement of aircraft as determined by CASA.</b></i></p> <p>Uphold in part, seek high resolution mapping to be included in Scheme.</p>	<p>Uphold in part - modify the LPS7 Scheme Map accordance with the Schedule of Modifications LPS7 to include higher resolution mapping and amend Schedule 6 Clause 5.</p>

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				<p>planning application outcomes. 'Operations' is undefined and could extend into 'commercial' operations not just aircraft movement. Request revision of clause to clarify operations are restricted to the safe movement of aircraft and that CASA is the determining authority.</p> <p>3. The Noise Exposure Plan contained within Schedule 6 is of insufficient resolution to clearly communicate the information contained within the associated tables. Should Schedule 6 form part of LPS7, a high-resolution Noise Emissions Plan should be incorporated to provide applicants and decision makers with clearly legible information.</p> <p>However, we reiterate our comments that the plan would be best available within a local planning policy that is not bound by specific format/size requirements and can be easily updated over time</p>		

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- Where it interacts with the Minyirr Buru Conservation Park it must reflect the conservation agreements and emphasis must be on the protection of natural values.

*proposals within and adjacent to the Conservation Park reflecting the context and character including built form considerations such as building height.*

<b>Recommended changes to LPS</b>				
<b>No.</b>	<b>Draft LPS Reference</b>	<b>Submitter Comments</b>	<b>Shire of Broome Comment</b>	<b>Shire of Broome Recommendation</b>
1	1.2 Vision	<p>Table 1 identifies the objectives of the Strategy and how they align with the SCP by providing a land use planning response to relevant SCP objectives.</p> <p>All the objectives of the Strategy are valid, but we note that none of them refer or relate specifically to the Yawuru Community.</p> <p>Inclusion of an objective reflecting NBY's remit would:</p> <ul style="list-style-type: none"> <li>• Provide strong messaging around Yawuru's significance to Broome</li> <li>• Be inclusive of Yawuru people</li> <li>• Help to embed NBY's purpose at a very high level in the planning framework</li> </ul> <p>Allow it to flow onto more detailed planning phases.</p> <p><b>Recommendation:</b>            Include an objective in the LPS specifically relating to the implementation of NBY's purpose and reflecting the implementation of the ILUAs.</p> <p>NBY requests an opportunity to develop this objective in collaboration with the Shire post-advertising of the draft LPS.</p>	<p>The WAPC have prepared Local Planning Strategy Guidelines that provide guidance on the preparation of a Local Planning Strategy, which the Shire's LPS has been prepared consistent with. The Guidelines also include a manner and form document which a LPS to be consistent with. The manner and form document outlines that the vision is to align with the Strategic Community Plan.</p> <p>The importance of the Yawuru community to the development of Broome is acknowledged. Similarly, the importance of other TO groups which form part of the Shire is also acknowledged. Given the LPS provides guidance over many TO groups, the inclusion of an objective into the vision that specifically reference one Traditional Owner group is not representative.</p> <p>It is recommended that an additional objective 4.2 is included into the LPS which reads:</p> <p><i>Support Broome's Traditional Owner groups in managing country and celebrating culture.</i></p>	<p>Uphold in part - add a new objective 4.2 that addresses all TO's in the Shire as follows by responding to <i>SCP Aspiration 4: An inclusive community that celebrates culture, equality and diversity.</i></p> <p><i>'Support Broome's Traditional Owner groups in managing country and celebrating culture.'</i></p>
2	2.1 Community, Urban Growth and Settlement – Broome Townsite  2.1.1 Regional Centre – Broome Townsite	<p>Table 2: Broome Townsite – Planning Directions and Actions.            This section does not reference housing to meet the needs of Aboriginal people – housing numbers, housing location or housing design, for example.</p> <p>This is a significant omission because planning can make a major contribution to addressing these issues.</p> <p>Without identifying associated issues and actions, there is little scope for planning to assist in their resolution.</p> <p>All aspects of housing need should be considered by planning frameworks and housing for Aboriginal People is an extremely important consideration in Broome.</p> <p><b>Recommendation:</b>            NBY request an opportunity to provide information to the Shire with respect to Aboriginal housing issues within the Broome townsite and to work collaboratively with the Shire to develop actions, rationales and timeframes</p>	<p>Agreed that this of importance and is supported, though prefer that references Aboriginal housing issues within the Broome townsite are consolidated into sub-sections of the LPS that already exist (rather than adding new sections).</p>	<p>Uphold – addition of information on Aboriginal housing issues and social housing issues within the Broome townsite to existing sections within the LPS Part 2 in section 4.2.2. Recommended wording to be inserted:</p> <p><i>Aboriginal people make up 28.2% of the Shire's population. The housing needs of Aboriginal people is important to assist in achieving closing the gap measures. It is important that appropriate allocation is made for Aboriginal housing and that the housing delivered is designed appropriately to meet the needs of the community. The State's ongoing commitment to the North-West Aboriginal Housing Fund and programs such as Jalbi Jiya are essential to meet with future housing needs of the Aboriginal population. Similarly, the provision of social housing by the Department of</i></p>

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		<p>for the LPS.</p> <p><b>NOTE: We request discussions with the Shire and Department of Planning, Lands and Heritage on whether this and other matters of particular impact and relevance to the Yawuru Community should be consolidated into sub- sections in the various (current parts) of the LPS or included in new, specific sections relating to Yawuru People (in both Parts 1 and 2).</b></p> <p><b>We note that many approaches adopted for the Broome Growth Plan are highly inclusive. They include references to Yawuru values and inclusion of Yawuru language. These should be considered for the LPS and any Yawuru- specific sections.</b></p>		<p><i>Communities, is significant in ensuring adequate living standards for Broome's population. The Department of Communities is a significant landowner in Broome and plays an important role in reducing housing stress and providing housing support to the community. The Department of Communities owns or lease approximately 30% of all residential dwellings in the Broome urban centre. These assets are used to support the housing needs of the Broome community via the provision of social housing as well as housing for State government officers such as police, teachers and nurses. Sixteen percent of all residential dwellings in the town of Broome are for social housing and a further 9% provide for government officers through the GROH (Government Regional Officers Housing) program.</i></p>
3	2.1.2 Remote Service Centres	<p>Table 3: Regional Service Centres – Planning Directions and Actions</p> <p>Issue/Opportunity: Adequate land for housing / accommodation and access to essential services and community services.</p> <p>This issue applies to the Broome township as much as remote service centres.</p> <p><b>Recommendation:</b> Refer to above comment.</p>	Noted that this issue/opportunity can equally be applied to the Broome townsite.	Noted, no changes recommended.
4	Economy and Employment  2.1.2 Retail, Commercial and Activity Centres	<p>Table 4: Retail, Commercial &amp; Activity Centres – Planning Directions and Actions</p> <p>a) Action: Review and update Local Commercial Strategy to align with the Strategy.</p> <p>Action: Zone the Cable Beach Road East area (Part Lot 3082) to Service Commercial in the new Local Planning</p> <p>b) Scheme.</p> <p>The action relating to Lot 3082 is consistent with NBY intentions and recent planning decisions.</p> <p><b>Recommendation:</b> Noted with support.</p>	No action required.	No change recommended.

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5	2.2.3 Tourism	<p>In terms of current land availability for tourist uses, approximately 34ha of land zoned for tourism is capable of substantial further development within the Shire. The majority of this vacant land is located in Cable Beach, it is therefore recommended that precinct structure planning be undertaken to help stimulate development of this key activity node.</p> <p>The premise of this provision is supported but land that is appropriate and ready for advancement should not be delayed by a broader structure plan over the whole area provided that overall planning is not compromised.</p> <p><b>Recommendation:</b> Amend the draft LPS to confirm that land capable and ready for structure planning can proceed in advance of the wider precinct where effective planning will not be compromised.</p>	<p>If a proponent was to submit a Structure Plan or development application, it would be assessed against the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the Local Planning Scheme. The development controls incorporated into draft LPS7 provide discretion for development (or structure plan) to progress in advance of adoption of a Precinct Structure Plan. Given this a change to the LPS is not deemed required.</p>	Dismiss - no change recommended.
6	2.2.3 Tourism	<p>Table 6: Tourism – Planning Directions and Actions</p> <p>Continue engagement with Dampier Peninsula Working group to establish measures to manage impact of visitor activity. NBY is an important stakeholder.</p> <p><b>Recommendation:</b> LPS to recognise that NBY is an important stakeholder, both culturally and economically, and should be consulted in relation to tourism on the Peninsula, particularly given Broome’s position as a gateway to the Peninsula and to the Kimberley.</p>	<p>The Dampier Peninsula Working Group has been established by the community members in the peninsula in collaboration with the Department of Premier and Cabinet.</p> <p>Its not the role of the Local Planning Strategy to establish which stakeholders are to form part of the Working Group.</p>	No change recommended.
7	2.2.4 Agriculture	<p>Table 7: Agricultural Areas - Planning Directions and Actions</p> <p>No reference is made to incentives in LPS7 or elsewhere for Aboriginal Businesses and employment. This ignores the various opportunities and outcomes outlined in the Broome Growth Plan. The draft LPS is an appropriate vehicle for these outcomes to be further embedded and implemented.</p> <p><b>Recommendation:</b> The LPS should acknowledge that that Broome is the centre of an Indigenous Region within which creating opportunities for Aboriginal participation in the economy etc. is paramount.</p> <p>NBY requests an opportunity to develop related actions, rationales and timeframes in collaboration with the Shire post-advertising of the draft LPS.</p> <p>Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure.</p>	<p>The Shire notes the importance of Aboriginal employment and the objective of achieving Aboriginal workforce participation in the Broome Growth Plan and other documents such as the Regional Investment Blueprint for The Kimberley.</p> <p>The matters that the Shire is capable of considering when determining a development application is set out in Clause 67 of the Deemed Provisions.</p> <p>The Shire is not in a position to embed employment targets or requirements into the planning framework, as the Shire is not in a position to consider this through planning determination processes.</p> <p>It is the role of other informing strategies, such as the Broome Growth Plan to establish employment targets and actions for implementing such.</p> <p>Given the above, no change is recommended.</p>	No change recommended.

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8	2.3 Environment and Heritage	<p>2.3.1 Culture and Heritage</p> <p>a) Heritage and Environment are separate topics with their own considerations and actions.</p> <p>b) This section does not fully reflect the significance of Yawuru history.</p> <p>c) The LPS does not reference the ILUAs. It is unclear whether (or how) any of the actions relate to the ILUAs.</p> <p>d) The description of culturally significant areas needs review, for example Songlines (as opposed to Song Cycles) are not just coastal – they extend inland.</p> <p><b>Recommendation:</b></p> <ol style="list-style-type: none"> <li>1. Separate Environment and Heritage into their own sections.</li> <li>2. Include a specific, introductory statement about Yawuru history and heritage in collaboration with NBY and informed by its Cultural Management Plan.</li> <li>3. Include comment on how proposed actions relate to the ILUAs.</li> <li>4. Include the following action within the LPS: 'Shire to develop a Reconciliation Action Plan and ensure that planning decisions are consistent with it.'</li> <li>5. Reword section to recognise Yawuru as the traditional owners not an 'immigrant group.' Include a standalone section on Aboriginal history in collaboration with NBY and informed by its Cultural Management Plan.</li> <li>6. Develop actions with NBY which recognise that in some cases consultation with traditional owners is mandated - for example such as in relation to land subject to Native Title. But in other cases, proponents should be encouraged to speak to NBY out of respect and inclusion, to add to their understanding of the land and its management and to reflect Broome character.</li> <li>7. Identify and support ways to reflect cultural heritage in projects/planning outcomes.</li> <li>8. Include an action to develop a local planning policy to inform 6) and 7) above.</li> <li>9. Refer to 'significant cultural areas' rather than specific</li> </ol>	<p>The LPS Guidelines provide for inclusion of Environment section only, Heritage section was added at request of the Shire. Separate sub-sections are provided in the LPS.</p> <p>Some changes and additions to the LPS to respond to the following matters are suggested:</p> <ol style="list-style-type: none"> <li>1. Separation of sections not supported in LPS Guidelines on manner and form.</li> <li>2. Agree – recommended wording included in the Schedule of Modification.</li> <li>3. Agree – reference to the ILUA to be included in Part 2 of LPS. However, as the LPS reflects the ILUA in the form of planning areas, action in relation to implementation of the ILUA not recommended to be incorporated in Part 1.</li> <li>4. While the Shire acknowledged that preparation of a RAP is important, this is separate to planning processes and will be progressed separately to LPS.</li> <li>5. Agree rewording recommended. Refer to point 2 above in regards to Aboriginal History.</li> <li>6. Acknowledged that consultation with NBY is triggered through other statutory processes including native title and Aboriginal heritage. It is not the role of the LPS to set out actions of all statutory forms of consultation that are required to be undertaken under both federal and state legislation (of which there are numerous). The Shire has its own corporate policy to guide interactions on projects that interact with Aboriginal Heritage and encourages proponents to undertake similar engagement.</li> <li>7. &amp; 8. The Aboriginal Cultural Heritage Act 2021 and Aboriginal Heritage Act 1972 (and associated Regulations) provide legislated controls for incorporation of cultural heritage. The DPLH is currently working through a co-design process to prepare the new Regulations and Guidelines to provide guidance on aboriginal cultural heritage. This will apply regardless of the planning framework in place. Given the co-design process currently being performed it is not considered appropriate to prepare an LPP in this regard, which the Shire does not have the capability to implement and is governed by legislation that the Shire is not involved with implementing.</li> <li>9. Noted, wording change agreed as appropriate.</li> <li>10. Addressed in previous recommendations above.</li> </ol>	<ol style="list-style-type: none"> <li>1. No change recommended.</li> <li>2. Agree introductory statement about Yawuru history informed by the Cultural Management Plan has been incorporated into the Schedule of Modifications.</li> <li>3. Update Part 2 to reference ILUA's.</li> <li>4. Dismissed - development of a Reconciliation Action Plan is an organisational decision and whilst agreed it is an important initiative, LPS not is correct place for it to be included as an action.</li> <li>5. Upheld - reword section to recognise Yawuru as the traditional owners not an 'immigrant group.'</li> <li>6. No change recommended.</li> <li>7. &amp; 8. No change recommended.</li> <li>9. Upheld - Planning Direction could be reworded to refer to '<i>significant cultural areas</i>'</li> <li>10. No action</li> </ol>
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		<p>elements/aspects – otherwise, ensure that these are reviewed and refined with NBY.</p> <p>10. Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure.</p>		
9	2.3.2 Natural Resource Management	<p>Table 9: Natural Resource Management - Planning Directions and Actions</p> <p>Reaching out to NBY would help proponents to access, appreciate and utilise local knowledge and land management relating to fire, natural resources, appropriate art and cultural references, landscaping, water management etc.</p> <p>The Shire is in joint management with Yawuru PBC in town reserves which form the Minyirr Buru Conservation Park. A joint management plan sets out key targets and management strategies and the joint partners are assisted in implementation of the plan by DBCA under an assistance agreement for the on-ground works.</p> <p><b>Recommendation:</b> Include actions that encourage proponents to engage with NBY in relation to their project, seeking support and guidance as appropriate.</p> <p>Actions should include a local planning policy to provide guidance to proponents on how NBY can contribute to land management, planning and design, and how/when to engage with the Yawuru Community.</p> <p>The LPS should recognise commitments relating to Conservation Park management as an action.</p>	<p>First two recommendations relative to engagement with NBY and preparation of LPP, addressed in item 8 above.</p> <p>In relation to third recommendation on conservation estate, agree an action to be added to LPS Table 9.</p>	<p>Upheld – add an action to Table 9 under Conservation of Biodiversity and Natural Habitats Issue/Opportunity. To read as follows:</p> <p><i>Support the Yawuru Park Council in the implementation of the joint management plans for the Minyirr Buru Conservation Park.</i></p> <p>The following rationale, to be incorporated:</p> <p><i>The Minyirr Buru Conservation Park was created pursuant to the Yawuru ILUA's and is jointly managed by the Yawuru Registered Native Title Body Corporate (Yawuru RNTBC) and the Shire of Broome under the Land Administration Act 1997 (LA Act) for the purpose of conservation, recreation and traditional and customary Aboriginal use and enjoyment.</i></p> <p><i>The Guniyan Binba (northern intertidal zone) is jointly managed by Yawuru RNTBC, Shire of Broome and the Conservation and Parks Commission (Department of Biodiversity, Conservation and Attractions), under the Conservation and Land Management Act 1984 (CALM Act), in accordance with the ILUAs.</i></p> <p><i>The Shire supports the management of the Conservation Park signatory to the ILUA's and through its participation in the Yawuru Park Council and acknowledges the ongoing participation is important to deliver implementation of the joint management plan.</i></p>
10	3.2 Planning Areas Broome Townsite	<p>Table 16: Broome Townsite - Planning Areas</p> <p>Action: Ensure that redevelopment of existing prison site is incorporated into the broader precinct planning for Chinatown and Old Broome.</p> <p>The premise of this provision is supported but land that is appropriate and ready for advancement should not be delayed by a broader structure plan over the whole area provided that overall planning is not compromised.</p> <p><b>Recommendation:</b></p>	Refer to response in item 5 above.	No change recommended.

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		Amend LPS to confirm that land capable and ready for structure planning can proceed in advance of the wider precinct where effective planning will not be compromised.		
11	3.2 Planning Areas Broome Townsite	<p>Action: Review Cable Beach Development Strategy and prepare Precinct Structure Plan (in accordance with SPP 7.2).</p> <p>The premise of this provision is supported but land that is appropriate and ready for advancement should not be delayed by a broader structure plan over the whole area provided that overall planning is not compromised.</p> <p><b>Recommendation:</b> Amend LPS to confirm that land capable and ready for structure planning can proceed in advance of the wider precinct where effective planning will not be compromised.</p>	Refer to response in item 5 above.	No change recommended.
12	3.2 Planning Areas Broome Townsite	<p>Action: Ongoing discussions with Water Corporation on timing and process for remediation to assist with implementation / future development.</p> <p>Rationale: Relocation of the existing Wastewater Treatment Plant (WWTP) south of Clementson Street will unlock approximately 12.8 ha of land for redevelopment. This land combined with Lot 604 (state owned) and Lot 3144 (Nymaba Buru Yawuru owned) will enable creation of a of a health and wellness precinct and, where possible, light industrial uses.</p> <p>Consistent with NBY actions and intentions.</p> <p><b>Recommendation:</b> Noted with support.</p>	No action – support noted.	No change recommended.
13	Figure 6 Cable Beach Precinct Structure Plan Guidance Map	<p>This map provides guidance with respect to building height across some land holdings adjacent to Yawuru Minyirr Buru reserves.</p> <p>Heights are an important consideration across all land in this locality given its proximity to such an important area with respect to heritage, culture and conservation.</p> <p><b>Recommendation:</b> Reference to upper building height limits should be made for all land within this Precinct.</p>	<p><i>Figure 7</i> – Planning Area C Precinct Structure Planning Guidance includes notes on future issues that are to be explored in the preparation of a PSP of which height will be one aspect, too premature to include upper building height limits in the LPS.</p> <p>Given that issue to be addressed in more detail in future PSP preparation, premature and potentially stifling of future development to apply upper height limits in the LPS.</p>	No change recommended.

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14	3.2 Planning Areas Broome Townsite	<p>Action: Requirement for a Structure Plan for Urban Development zoned land surrounding the airport to provide interim planning guidance for land use and development whilst the airport is still operational. Structure Plan to consider upgrades to following roads:</p> <ul style="list-style-type: none"> <li>+ Upgrade Magabala Road between Gubinge Road and Fairway Drive</li> <li>+ Intersection of Broome Road/ Gubinge Road</li> <li>+ Intersection of Gubinge Road/ Magabala Road</li> </ul> <p>A structure plan is not the best mechanism for interim guidance – it has a 10-year timeframe, can be expensive to prepare and can take some time to prepare/achieve approval. Structure plans can often be inflexibly applied notwithstanding they are 'due regard' documents.</p> <p><b>Recommendation:</b> Delete this action and replace with an action requiring the preparation of a local planning policy to provide relevant interim guidance.</p>	<p>The State Planning framework supports that Structure Plan should be prepared to guide land zoned Urban Development. The Shire's LPS is required to be consistent with the direction provided in the State Planning framework.</p> <p>A LPP would not be an appropriate planning document to provide such guidance.</p> <p>No change is recommended in relation to this submission.</p>	No change recommended.
15	3.2 Planning Areas Broome Townsite	<p><u>Planning for the former One Mile Aboriginal Community</u></p> <p>Action: Structure Plan required to guide future development of the site. Key considerations include:</p> <ul style="list-style-type: none"> <li>+ Explore benefits of bringing the western road reserve into the 'Urban Development' zone to ensure it is considered in a future structure planning phase.</li> <li>+ Ensure that drainage, coastal processes and other environmental constraints are considered.</li> <li>+ Explore opportunities for residential development.</li> </ul> <p>Scheme Amendment and rezoning to be undertaken concurrently.</p> <p>Rationale: The site was formerly recognised as an Aboriginal Community; however, this classification has since changed, and the land is primarily vacant (with the exception of one privately owned lot). The site is impacted by several environmental constraints and includes a redundant road reserve which provides an informal drainage function. Further investigations and planning are therefore required to determine the true development potential of the land prior to any rezoning occurring.</p> <p>This entire area is recognised as a cultural site.</p> <p>The land is unsuitable for urban development except where there is existing development – in these locations Yawuru might consider culturally sensitive development.</p> <p><b>Recommendation:</b></p>	<p>Acknowledged that area is recognised as a cultural site, therefore land may be unsuitable for urban development.</p> <p>In recognition of the submission, recommended that Planning Area G action to be updated to reference that</p> <p><i>'The entire area is recognised as a cultural site and that the land may be unsuitable for urban development'.</i></p>	<p>Agreed - update reference to Planning Area G – One Mile to outline:</p> <p><i>'The entire area is recognised as a cultural site and that the land may be unsuitable for urban development'.</i></p>

		Delete current LPS provisions and replace with actions and rationale consistent with the cultural significance of the site and NBY expectations.		
16	3.2 Planning Areas Broome Townsite	<p>Prepare Gantheaume Point Master Plan to formalise area as a recreation precinct and coordinate investment.</p> <p>Master Plan to have consideration for:</p> <ul style="list-style-type: none"> <li>+ Provision of community infrastructure facilities to support high use of Gantheaume Point;</li> <li>+ Safe beach access;</li> <li>+ Resolution of cadastral boundary misalignment for key roads;</li> <li>+ Bushfire hazard planning in accordance with SPP 3.7; and</li> <li>+ Consideration for mitigating impacts of coastal hazards essential in all proposals.</li> </ul> <p>NBY cares for and controls Foreshore areas in this location but are not referenced as a consideration in master planning.</p> <p>Refer to comments in Table 2 with respect to Tourism in Foreshore reserves.</p> <p>Much of the foreshore area in this location is within the Minyirr Buru Conservation Park.</p> <p>The Shire is in joint management with Yawuru PBC in reserves that form the Minyirr Buru Conservation Park (refer to the attached plan of the Conservation Estate).</p> <p>A joint management plan sets out key targets and management strategies and the joint partners are assisted in the implementation of the plan by DBCA under an assistance agreement for the on- ground works.</p> <p>These areas include those shown as Foreshore reserve and for Environmental Conservation and Cultural Corridors reserve in the draft LPS7 maps.</p> <p>These areas are subject to conservation agreements that sit outside the planning process. There are also other agreements and approvals (relating to tenure for example) that are required as part of any land use or development proposal. As such, irrespective of any master plan or other approval, development activity would not automatically follow.</p> <p><b>Recommendation:</b> Specifically note cultural heritage and history as a consideration for future master planning.</p>	<p>Additional wording to address NBY care and control of Foreshore areas through joint management with the Shire and considerations for future master planning are appropriate to enhance the LPS.</p>	<p>Uphold – Planning Area M actions to specifically note cultural heritage and history as a consideration for future master planning.</p> <p>Add to actions that master planning that interacts with the Minyirr Buru Conservation Park to state:</p> <p><i>Where it [master plan] interacts with the Minyirr Buru Conservation Park it must reflect the conservation agreements and emphasis must be on the protection of natural values.</i></p> <p><i>proposals within and adjacent to the Conservation Park reflecting the context and character including built form considerations such as building height.</i></p>

		<p>Update both draft LPS/LPS7 to state that all master planning, use and development of land within the Minyirr Buru Conservation Park must reflect the conservation agreements and highlight that the emphasis needs to be the protection of natural values.</p> <p>Update both draft LPS/LPS7 to require that master planning proposals within and adjacent to the Conservation Park must reflect context and character including with respect to built form considerations such as building height.</p>		
17	<p>2.3 Regional Planning Context</p> <p>Table 18: Regional planning instrument overview</p>	<p>A Regional Investment Blueprint For The Kimberley (2015)</p> <p>The Blueprint sets an aspirational target of 93,000 people and an additional 34,000 jobs by 2036 which is unlikely to be reached in this timeframe.</p> <p>To achieve these goals and aspirational future, Six Transformational Agendas were developed.</p> <ol style="list-style-type: none"> <li>1. Regional leadership and development readiness</li> <li>2. Enhancing the capability services sector.</li> <li>3. Aboriginal advancement.</li> <li>4. Industry and resources development.</li> <li>5. Developing our regional centres.</li> <li>6. Infrastructure for driving growth.</li> </ol> <p>Regardless, the Six Transformational Agendas identified by the document should be reviewed and considered to inform the preparation of relevant economic, Aboriginal, infrastructure and tourism strategies for the Shire. Aligning with the Transformational Agendas will give a unified approach to regional development.</p> <p>The goals and agendas relating to Aboriginal people have not been specifically referenced/reflected in the LPS.</p> <p>The LPS an opportunity help achieve them by embedding them into the planning framework and making them inherent in planning decisions.</p> <p><b>Recommendation:</b>  Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure.</p> <p>Work collaboratively with NBY to identify specific actions to achieve the goals and aspirations of this document via the planning framework.</p>	<p>Refer to comments in item 7 above.</p> <p>The matters that the Shire is capable of considering when determining a development application is set out in Clause 67 of the Deemed Provisions.</p> <p>The Shire is not in a position to embed employment targets or requirements into the planning framework, as the Shire is not in a position to consider this through planning determination processes.</p> <p>It is the role of other informing strategies, such as the Broome Growth Plan to establish employment targets and actions for implementing such.</p>	No changes recommended in this regard.

18	3.2 Previous Local Planning Strategy	<p>Greater participation of Aboriginal Communities - the Broome Growth Plan identified the major opportunities that exist with respect to greater activation of the Dampier Peninsula and Broome’s human capital. More specifically, its Aboriginal human capital. This strategic direction combined with major projects such as the sealing of Broome - Cape Leveque Road will result in substantial opportunities and change throughout the Shire.</p> <p>The implication for this Strategy is a greater focus on its Remote Service Centres, reinforcing the important role they perform in servicing the Shire’s remote communities, as well as unlocking economic opportunities for Aboriginal people.</p> <p>While this section is noted and supported, we also note that it has not translated into any LPS actions.</p> <p>It is unclear how the Broome Growth Plan has been reflected in planning outcomes such as LPS7.</p> <p>The focus on remote service centres is too narrow – it is an important consideration but there are many issues and opportunities relevant to Aboriginal People that have not been highlighted in the draft LPS.</p> <p><b>Recommendation:</b>  Refer to previous comments concerning the preparation of a local planning policy relating to how proponents can include the Yawuru community in the planning process, and expectations around the same.</p> <p>Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure.</p> <p>Work with NBY to include more actions specific to the Yawuru Community and its needs/contribution in terms of economic opportunity.</p>	Refer to comments in item 8 above.	No change recommended in this regard.
19	3.4 Local Planning Policies	<p><u>5.12 Provision of Public Art</u>  A review is required to ensure the policy is fit-for- purpose and meets the objectives of the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p><u>5.13 Design Guidelines – Town Centre Zone</u>  The Strategy advocates for a need to review the existing planning framework to improve transparency. It is recommended the existing Chinatown Development Strategy and this policy be subject to a comprehensive review and potentially repealed and replaced by a Precinct Structure Plan.</p> <p>Refer to previous comments relating to the contribution that the Yawuru Community can and should make with respect to local character through</p>	Refer to comment in item 8 above.	No change recommended.

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		<p>design.</p> <p>Opportunities exist to encourage proponents and decision makers to reach out to NBY with respect to:</p> <ul style="list-style-type: none"> <li>• Housing design</li> <li>• Broome character and built form</li> <li>• Landscape Public Art</li> </ul> <p><b>Recommendation:</b> Refer to previous comments relate to the preparation of aligned planning policies that promote the inclusion of Yawuru people in the planning framework.</p> <p>NBY requests and offers collaborative involvement in the preparation of these policies as appropriate.</p>		
20	3.7 Other Relevant Documents	<p>Table 26: Other Relevant Strategies, Plans &amp; Policies This section provides important context for planning and land management outcomes, such as the Broome Growth Plan, Local Commercial Strategy and Cable Beach Development Strategy.</p> <p>We note that the ILUAs are missing from this section. They are a critical influence on land management as previously noted:</p> <ul style="list-style-type: none"> <li>• As the largest landholder in Broome and having a key role in managing both economic and environmental/recreation land assets, the frameworks in the ILUAs are critical for the future development of Broome and the LPS.</li> <li>• The ILUAs also create several obligations on parties which will need to be considered in the LPS along with the impact of Native Title and cultural heritage laws.</li> </ul> <p><b>Recommendation:</b> Include a summary of the ILUA in this section. Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure. NBY requests confirmation of how proposed LPS outcomes reflect and enable the ILUAs and cultural heritage practices.</p>	Agreed that the ILUA should be referenced in this section.	<p>Uphold - insert succinct summary of the ILUA, its purpose and implications for LPS into Table 26 of the LPS.</p> <p><i>Name of Document: Yawuru ILUA's</i></p> <p><i>Date: 2010</i></p> <p><i>Purpose: Two Indigenous Land Use Agreements (ILUA) were entered into between the State, Yawuru and the Shire. The ILUA's acknowledge Yawuru's native title rights over the Broome township and provided for the grant of land parcels to NBY. The ILUA's also provided for the creation of the Conservation Estate and provide funding for land management, cultural protection and conservation activities in the Conservation Estate.</i></p> <p><i>Implications for the Local Planning Strategy: the land parcels granted under the ILUA are reflected as planning areas in the Local Planning Strategy to provide strong alignment between the ILUA's and the Shire's strategic planning framework.</i></p>
21	3.7 Other Relevant Documents	<p>Table 26: Other Relevant Strategies, Plans &amp; Policies</p> <p>Local Housing Strategy Review of the Local Housing Strategy determined that there is strong alignment between its overarching principles and the Shire's latest SCP / this Strategy. The review also found that some of the key issues were no longer relevant. Where possible, relevant information has been repurposed or</p>	Noted, refer to comment in item 2 above.	Uphold – resolved in modification proposed by item 2 above.

		<p>updated to inform the Strategy.  The Local Housing Strategy has therefore been repealed as a standalone document and has been integrated into this Strategy.</p> <p>Refer previous comments relating to housing and the absence of discussion/information specific to the Yawuru Community.</p> <p><b>Recommendation:</b>  Refer previous comments.</p>		
22	04 Local Government Profile	<p>The profile of the Shire is presented and analysed in this section to provide robust, appropriate background and rationale for the strategic path outlined in Part 1.</p> <p>Trends, issues, opportunities and constraints detailed within the Local Government Profile are addressed in the strategy directions, actions and mapping found in Part 1. Where relevant the information for the Shire, townsite/urban area and other smaller settlements is provided and contrasted with WA benchmarks. The intent is to highlight the key issues which form the basis for the planning principles underlying this strategy and its associated planning scheme.</p> <p>This section does not describe the relationship between the Shire profile and ILUA commitments.</p> <p>Refer previous comments relating to the significance of the ILLUAs.</p> <p><b>Recommendation:</b>  Include reference the ILUAs in this section.</p> <p>Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure.</p>	Agreed that reference to ILUA can be incorporated into section 4.4.1.	Uphold - resolved in modification proposed by item 8 above.
23	Population Distribution and Ethnicity	<p>The Yawuru people are the Traditional Owners and occupants in the Broome Townsite and surrounds making up some 1,000-2,000 of this population. Outside of the Broome Townsite, there are approximately 80 Aboriginal settlements which vary in size and are home to a variety of groups. As demonstrated above, average household sizes are notably higher in these communities compared to the Broome Townsite. These statistics highlight the central and significant position of Aboriginal people in the culture and character of Broome.</p> <p>Aboriginal cultural heritage as well as the post- settlement cultural heritage of both the Aboriginal and non-Aboriginal settlements are an intrinsic part of the Shire’s character.</p> <p>This acknowledgement is important but can be more overtly and earlier referenced in the LPS.</p>	Agree - addition of new text as outlined in item 1 – Vision, above, will ensure there is more overt and earlier reference in the LPS.	Uphold – resolved in modification proposed by item 1 above.

		<p><b>Recommendation:</b>  Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure – particularly the consideration of a Yawuru specific section.</p> <p>We request the opportunity to work collaboratively with the Shire to ensure that this section is appropriately worded.</p>		
23	Housing Types and Mix	<p>The implication of this housing profile is that providing a broader mix of housing options (that includes medium and higher density forms) could be one means to addressing the lack of younger adults and seniors living in the Shire. Additionally, greater provision of smaller dwellings has the potential to address housing affordability concerns in the Shire.</p> <p>Refer previous comments.</p> <p><b>Recommendation:</b>  Refer previous comments.</p> <p>Where issues and needs require further study and definition, include an aligned action.</p>	Agree, however, the issues and needs well defined in existing documents and urban renewal/redevelopment of housing to address it scoped.	No change recommended - Because the action in Table 2 that relates to housing affordability in the Old Broome Precinct and the past work undertaken by the Department of Communities is considered adequate to address this.
24	4.1.4 Demographics and Population Summary	<p>“Based on the current extents of zoned residential land and land identified for future residential purposes, this analysis suggests that there is a sufficient amount of land capable of substantial further development to cater for the population growth anticipated in the Western Australia Tomorrow 2031 population forecasts for the Shire of Broome.” Kimberley Land Capacity Analysis, Shire of Broome (DPLH 2020)</p> <ul style="list-style-type: none"> <li>+ The WA Tomorrow 2031 population forecasts for the Shire of Broome indicate there is sufficient residential land that is zoned or has already been identified for residential to cater for expected growth.</li> <li>+ Currently the Shire has adequate residential zoned land but opportunities for infill and redevelopment in key activity nodes for alternative types of dwellings needs to be facilitated.</li> <li>+ Prioritise infill in areas with high amenity and allowing greater usage of existing infrastructure providing a more convenient, walkable lifestyle. This approach will provide housing for young and older people of an alternative, smaller form to the dominant single residential 3-4x2 houses on large lots and car dependent lifestyle.</li> <li>+ This Strategy highlights the potential to consolidate urban development within existing urban areas of Broome through encouraging redevelopment and consideration of medium and higher density residential providing housing options to cater to varied life stages as well as more affordable, well located options for key workers.</li> <li>+ Attracting and retaining a larger permanent residential population to a typically transient regional/ remote area is important and relies on availability and pricing of housing to suit</li> </ul>	Addressed in item 23 response.	n/a

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		<p>them. This depends on the availability of affordable residential accommodation for key workers and seasonal workers, for instance those employed in tourist related 'dry season' businesses.  + Rural Residential Living is generally not supported but some expansion may be possible in select locations subject to further technical investigations.</p> <p>Refer previous comments.</p> <p><b>Recommendation:</b>  Refer previous comments.</p> <p>Add an observation and actions relating to housing provision and design to reflect the needs of the Aboriginal Community.</p>		
25	Activating Key Precincts	<p>The Strategy's focus on infill is well supported by recent policy changes at State level, with the Design WA suite of policies (SPP 7.0, SPP 7.2 and SPP 7.3 Volume 2) providing unprecedented guidance on design quality. This framework will be essential in delivering quality built form outcomes.</p> <p>This an opportunity to ensure that precinct planning occurs in a culturally appropriate way.</p> <p><b>Recommendation:</b>  Noted with support.</p>	No action required.	No action required.
26	Aboriginal Settlements	<p>Within the Broome Townsite there are two areas that used to be Aboriginal Settlements: Bilgungurr, and Morrell Park, the layout plans applying to these areas have also recently been rescinded. Once land tenure for these areas is resolved these areas could be incorporated into Broome Townsite as residential/mixed use or future development areas.</p> <p>Since the time of the previous Local Planning Strategy two other Aboriginal settlements have also been disbanded: Malingbar (Kennedy Hill) and One Mile. One Mile was formerly an Aboriginal Community though the land is now largely vacant and required a coordinated planning response. NBY have rights to the land and it is identified as a Planning Area in this Strategy. Future Structure Planning should be cognisant of the townsite gateway/entry that the site occupies along Old Broome Road for arriving visitors. The Strategy recommends bringing the western road reserve into the 'Urban Development Zone' to ensure it is contemplated in a future structure planning phase. There should also be due consideration for drainage, coastal processes and other environmental constraints.</p> <p>The State Government has committed to divest this land back to Yawuru and are currently working with Yawuru to determine the appropriate structure for this land to be divested. It is likely that some of the areas will no longer be residential but instead will be managed and protected for their cultural values (i.e. One Mile, Malingbarr) and that others will require significant work to be undertaken in consultation with residents of these areas to rationalise land planning and servicing arrangements in the future.</p>	<p>Refer to comment in item 15 above.</p> <p>Agreed, that Planning Area G – Planning for the former One Mile Community should be updated to recognise that:  <i>Future Structure Planning should be cognisant of the townsite gateway/entry that the site occupies along Old Broome Road for arriving visitors.</i></p>	<p>Upheld - refer to recommendation in item 15.</p> <p>Update reference in Table 16 for Planning Area G, which acknowledges:  <i>'Future Structure Planning should be cognisant of the townsite gateway/entry that the site occupies along Old Broome Road for arriving visitors.'</i></p>

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		<p><b>Recommendation:</b> Update LPS to include this context including the identification of actions in collaboration with NBY.</p>		
27	4.2.3 Remote Service Centres	<p>More information should be included with respect to the design of layout plans and what is specifically being done to support the development referred to on the Peninsula.</p> <p>For both Bidyadanga and Djarindjin servicing is an issue - this should be reflected in specific actions.</p> <p><b>Recommendation:</b> Work collaboratively with NBY to better identify actions, rationales and timeframes with respect to remote communities including – where needed- further reporting to define the issues and needs.</p>	<p>Section 2.1.2. of the Strategy and Table 3 provide planning direction and action for Layout Plans in the peninsula. This is also further addressed in section 4.3.2 of the LPS.</p> <p>Bidyadanga community is currently subject to the Bidyadanga Land Activation Project, and the LPS Action is to support the State government in implementation of the project.</p> <p>For Bidyadanga, the intent in the long-term is transition to a gazetted townsite. A review of the layout plan will form part of this process and it may require an alternative planning response depended upon the future governance and tenure arrangements.</p> <p>It is considered that the LPS provides sufficient direction in this regard and therefore no amendments are recommended.</p>	No change recommended.
28	4.2.4 Smaller Settlements and Outstations	<p>There are around 80 smaller Aboriginal settlements in the Shire of Broome. These smaller settlements are considered to be Rural Living in proximity to remote service centres and should be serviced by fit for purpose services.</p> <p>Layout Plans have already been prepared and adopted for the following smaller settlements:  + Burringuk  + Goolarabooloo Millinbinyarri</p> <p>No comment is made in the LPS on whether there are planning issues that need to be addressed in these areas such as housing and services.</p> <p><b>Recommendation:</b> As above.</p>	Refer to response in item 27.	No change recommended.
29	New Custodial Facility	<p>The Department of Justice has confirmed that there are plans to relocate the existing Broome Regional Prison to a location outside of the Broome Townsite. The current prison is identified as being well past its useful life, it is also situated in the centre of town providing a physical barrier between Chinatown and Old Broome.</p> <p>The move to establish a new Custodial Facility will not only provide the opportunity to facilitate better rehabilitation outcomes, it provides opportunity to better activate key precincts stimulating redevelopment.</p> <p>This relates to an area of extremely high cultural significance and sensitivity. NBY is currently working with the State Government to develop an appropriate landholding and management arrangement to manage the important cultural values of the Kennedy Hill precinct.</p> <p>This must be reflected in planning process and outcomes.</p>	<p>In relation to the comments on the custodial facility refer to the comments made in the Department of Justice submission.</p> <p>In relation to Kennedy Hill and the Precinct Structure Plan process, Figure 6 of the LPS, outlines for the Kennedy Hill area 'culturally sensitive site, stakeholder engagement to determine appropriate use'.</p> <p>Furthermore, the Precinct Structure Plan Guidelines, which establish the process for the preparation and matters to considered in the precinct structure plan preparation process, which include specific objectives and considerations in relation to Aboriginal cultural heritage.</p> <p>Based on the above, it is considered that the significance of Kennedy Hill is acknowledged in the LPS and will have to be given further consideration in the precinct structure plan process. No amendments to the LPS are proposed in this regard.</p>	<p>No change recommended.</p> <p>Refer to response in main schedule to Submission 7 for rationale.</p>

		<p>No comment is made in the LPS on the design of the new custodial facility.</p> <p>The State Government is consulting with Yawuru in relation to the design of the new Custodial Facility to ensure the facility is culturally appropriate, best practice and is better able to rehabilitate and enable better outcomes for Aboriginal people who have to be detained.</p> <p><b>Recommendation:</b> The LPS should specifically describe the significance of the 'Kennedy Hill' locality and describe how this must be considered in any future precinct planning.</p> <p>Include an action to confirm that the custodial facility will be designed to be culturally appropriate and safe.</p>		
30	Tourism Summary	<p>More recently in areas beyond the townsite, the focus has shifted to expansion of the offer to adventure, station based, eco-tourism as well as Aboriginal tourism experiences. Engagement with the community and stakeholders emphasised their desire to ensure that the very attractions that tourists seek (the Kimberley region's beauty, contrasts and pristine environment) are carefully considered and protected - particularly with activity likely to increase as a result of the sealing of Broome - Cape Leveque Road.</p> <p>These opportunities are supported but are presently not included in LPS objectives.</p> <p><b>Recommendation:</b> Consider inclusion of a tourism-related objective.</p> <p>As mentioned, better incorporate the ILUAs into the LPS, perhaps through an objective in collaboration with NBY.</p> <p>In collaboration with NBY, identify and include actions to support Aboriginal tourism businesses and experiences.</p>	Noted and agreed.	<p>Upheld - include new action in Table 6 for 'Tourism on the Dampier Peninsula' which focuses on generating Aboriginal tourism opportunities and experiences as follows:</p> <p><i>'Work with Traditional Owners and State Government agencies such as TourismWA to facilitate Aboriginal tourism opportunities and experiences on the Peninsula that have low environmental impact and respect cultural and natural heritage.'</i></p> <p>Timeframe: Ongoing</p>
31	4.3.2 Health & Social Services/Assistance	<p>This Strategy recognises long-term opportunity for Planning Area D to become location of a future health and wellness precinct, including potential location for a new hospital/health campus. This would necessitate a health facility needs assessment and master planning exercise.</p> <p>This is aligned with NBY intentions, but LPS provisions do not refer to supporting/aligned uses like shops and offices (although these uses are available under the proposed LDP).</p> <p><b>Recommendation:</b> Refer to ancillary but aligned uses in the LPS.</p>	<p>The LDP prepared and adopted for the Health and Wellbeing Centre identifies the uses mentioned as incidental uses (i.e. they would need to be connection with another discretionary land use and could not develop as an independent land use).</p> <p>Given the recognition that they are incidental land uses, it is deemed unnecessary to reference them in the LPS.</p>	No amendment required.

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32	4.4.1 Culture and Heritage / Aboriginal Heritage	<p>This acknowledgement and summary are important but can be more overtly and earlier referenced in the LPS (refer to previous comments).</p> <p>Also, per prior comments, no reference is made to the ILUAs and there are no actions in the LPS that specifically relate to NBY's purpose.</p> <p>The wording presently included is not endorsed by NBY. It needs to be accurate and nuanced in how it describes cultural relationships – reference should be to Songlines rather than Song Cycles for example.</p> <p>With respect to the Kimberley Centre for Culture and Arts, while it is positive to see that it is in the draft LPS, NBY is concerned that the suggestions have not been formulated with the community or with Yawuru.</p> <p>As the Centre will tell the Aboriginal story of the region NBY, as representative of the Yawuru community, must lead the project through a consultative process to determine the location, scope, design and involvement of other entities to be co-located with the centre.</p> <p>It is critical that the Centre benefits the Yawuru Community, and the broader community of the Shire of Broome, as well as tourists, is authentic and founded/built upon Aboriginal values and respects Yawuru protocols.</p> <p><b>Recommendation:</b> This section must be reviewed and written in collaboration with NBY.</p> <p>Refer to previous commentary under 2.1 Community, Urban Growth and Settlement – Broome Townsite and 2.1.1 Regional Centre – Broome Townsite with respect to further opportunities for collaboration, inclusivity and structure. This commentary refers to inclusion of a specific section acknowledging, describing and responding to the Yawuru Community and its needs/contribution including the ILUAs.</p> <p>NBY seeks confirmation/identification of LPS actions specifically relating to the implementation of the ILUAs.</p> <p>The LPS must clearly state that Yawuru is the Native Title holder for Broome and is the appropriate organisation for consultation and decision making.</p> <p>Update the LPS to remove references to a specific location/co-location of the Kimberley Centre for Culture and Arts. Include a statement that the location, design and function of the Centre is to be determined through discussion with stakeholders, including the Yawuru and broader community.</p>	Concerns raised are noted. It is recommended that section 4.4.1 is reviewed to address matters raised.	<p>Upheld - review section 4.4.1 of the LPS to:</p> <ul style="list-style-type: none"> <li>Remove all references to 'Song Cycles' and replace with 'Songlines';</li> <li>Update reference to Kimberley Centre for Culture and Arts to remove references to a specific location/co-location of the Kimberley Centre for Culture and Arts. Include a statement that the location, design and function of the Centre is to be determined through discussion with stakeholders, including the Yawuru and broader community.</li> </ul>
33	4.4.2 Natural Heritage	<p>It is notable that for thousands of years, Indigenous people of the Dampier Peninsula and west Kimberley have had strong cultural connections with dinosaur tracks. The song cycle that includes stories of creator being Marala (Emu man) extends along the length of the Dinosaur Coast from Bunginygun Barrinybarr (Swan Point, Cape Leveque) to Wabana Wapana (near La Grange</p>	<p>Noted. It is recommended that section 4.4.1 is updated relative to songlines, as outlined below:</p> <p><i>'There are other Songlines that cannot be identified for cultural reasons - they extend from the south to the north east (the southern Tradition) and</i></p>	<p>Upheld - update the text in section 4.4.1 relative to Songlines to state the following:</p> <p><i>'There are other Songlines that cannot be identified for cultural reasons - they extend from the south to</i></p>

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		<p>Bay) and then inland to the south-east, over approximately 450kms.</p> <p><b>Recommendation:</b>  As above - reference to National Heritage Listing rather than discussions of dinosaurs from a cultural perspective (which has not been provided by Yawuru), for example.</p> <p>The LPS should acknowledge that there are other Songlines that cannot be identified publicly for cultural reasons - they extend from the south to the north east (the southern Tradition) and from the sea to inland.</p>	from the sea to inland’.	<i>the north east (the southern Tradition) and from the sea to inland’.</i>
34	4.4.2 Natural Heritage	<p>Links with the Song Cycles of the Kimberley coast and acknowledgement and due consideration in future planning and development decisions is critical to the protection for the cultural heritage values of the Shire and its people.  + The Lurujarri Heritage Trail’s recognition in the Strategy as an important and significant cultural heritage element of the Shire that should also be acknowledged in future decisions regarding development of the Kimberley coast is appropriate.</p> <p>As above. The LPS identifies the importance of this Trail but proposes no actions.</p> <p><b>Recommendation:</b>  As above. Also work with NBY to identify appropriate actions and description noting, for example, that the Lurujarri Trail is just part of the Songline - it is not an exclusive entity.</p>	<p>Section 2.3.1 Table 8 identifies planning direction and action relative to songlines, which includes:</p> <p>Planning direction:  ‘Where possible, conserve and enhance cultural and environmental corridors within the scheme through appropriate reserves’</p> <p>Action:  ‘Support relevant parties/ agencies in undertaking a study to analyse appropriate locations for the establishment of environmental and cultural corridors. Any identified corridors to be protected in the Scheme through appropriate zones/reserves (for example Lurujarri Heritage Trail)’.</p> <p>Furthermore, the protection of Aboriginal cultural heritage is governed by the Aboriginal Cultural Heritage Act 2021 and Aboriginal Heritage Act 1972.</p> <p>Given the existing action identified in the LPS and as Aboriginal cultural heritage is protected under existing Acts, that apply regardless of the planning processes of the Shire, the identification of further actions is not recommended.</p>	No change recommended.
35	4.4.3 Natural Environment and Management	<p>Refer to previous comments.</p> <p>The opportunity/role/knowledge of traditional owners in land management is not acknowledged in this section.</p> <p>As noted, the Shire is in joint management with Yawuru PBC over in town reserves which form the Minyirr Buru Conservation Park.</p> <p>A joint management plan sets out key targets and management strategies and the joint partners are assisted in implementation of the plan by DBCA Yawuru Rangers under an assistance agreement for the on-ground works. Yawuru also have an Indigenous Protected area declared by the Federal Government which overlays the whole Conservation Estate and Yawuru</p>	<p>For first recommendation refer to comments in item 8 above.</p> <p>In relation to second recommendation, refer to comments in item 9 above.</p> <p>In relation to third recommendation, agreed that Part 2 of the Strategy needs to acknowledge the IPAs throughout the Broome Shire.</p>	<p>Upheld – update Part 2 to acknowledge the IPAs that exist throughout the Shire. Following wording to be inserted:</p> <p><i>Indigenous Protected Areas (IPAs) are areas of land and sea Country managed by Indigenous groups in accordance with Traditional Owners’ objectives. IPAs deliver biodiversity conservation outcomes for the benefit of all Australians, through voluntary agreements with the Australian Government. IPAs provide a framework for Indigenous communities to combine traditional and contemporary knowledge to collaboratively</i></p>

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		<p>Country Managers are engaged in cultural and land management activities to implement the IPA Plan of Management.</p> <p><b>Recommendation:</b> Mandate as an action: 'as appropriate mandate or encourage proponents and agencies to reach out to NBY to learn, respect and reflect traditional land management and knowledge.'</p> <p>Acknowledge and reflect Conservation Park Management requirements and commitments in the LPS, including in this section.</p> <p>Acknowledge the IPAs in Broome and throughout the Broome Shire (such as Karajarri / Bardi).</p>		<p><i>manage their land and sea Country, leverage partnerships with conservation and commercial organisations and provide employment, education and training opportunities for Indigenous people. There are two IPAs in Broome being the Yawuru and Karajarri IPA's.</i></p>
36	4.5.5 Utilities	<p>The servicing of Aboriginal Communities is recognised as a deficiency earlier in the LPS but is not discussed in detail in this section. Issues cannot be addressed unless they are appropriately defined.</p> <p><b>Recommendation:</b> Working with NBY, reinforce/expand upon the servicing issues in this section (or consider incorporation into a Yawuru-specific section as previously discussed) and identify specific actions and timeframes to address.</p>	<p>Agree that servicing remote communities is an issue however already discussed in 4.5.5.</p> <p>Actions already in 2.1.2 Layout Plans are updated supporting DPLH to do this.</p>	No change recommended.
37	Renewable energy	<p>Servicing in remote communities has been identified as an issue in previous sections but this section does not draw the link between that issue and the opportunities stemming from renewable energy.</p> <p><b>Recommendation:</b> Expand on the relevance of renewable energy to remote communities. Identify specific actions including a study into the role renewable energy can play for remote communities.</p>	<p>Agree, recommend that Table 14 – Utilities already references "across the Shire" which includes Remote Communities.</p>	No change recommended.

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